

COUNCIL COMMUNICATION

Department: <u>Public Works</u>	Ordinance No. <u>6064</u>	First Reading <u>March 29, 2010</u>
Case/Project No.: _____	Resolution No. _____	Public Hearing <u>April 12, 2010</u>
Applicant: <u>Dan Woellhof-CBO</u>		Second Reading <u>April 12, 2010</u>
		Third Reading _____

SUBJECT/TITLE

- AN ORDINANCE to amend Title 13 entitled "Buildings and Construction" of the 2005 Municipal Code of Council Bluffs, Iowa, by amending Chapter 13.21 which is entitled "Property Maintenance Code" and to be codified.

BACKGROUND/DISCUSSION

- This proposed ordinance updates the International Property Maintenance Code from the 2003 edition to the 2009 edition.

SIGNIFICANT AMENDMENTS

- There does not appear to be any changes or additions to the published Code that will be controversial.

CHANGES IN THE EDITIONS

There are new IPMC published Sections such as:

Section 202 entitled "Definitions" adds: Anchored, Detached, Deterioration, Equipment Support, Neglect, Pest Elimination, & Ultimate Deformation.

Section 304.1.1 entitled Exterior Unsafe Conditions adds definitions of such

Section 305.1.1 entitled Interior Unsafe Conditions adds definitions of such

Section 306 entitled Component Serviceability adds maintenance requirements.

Section 502.5 entitled Public toilet facilities adds maintenance requirement.

Section 506.3 entitled Grease interceptors adds maintenance requirement.

Section 604.3.1 entitled Abatement of electrical hazards associated with water exposure adds electrical equipment that has been exposed to water shall be replaced or repaired.

Section 604.3.2 entitled Abatement of electrical hazards associated with fire exposure adds electrical equipment that has been exposed to fire shall be replaced or repaired.

RECOMMENDATION

The Public Works Director and the Building Official recommend that the City Council favorably considered this proposed ordinance and pass it into law.

Greg Reeder, Public Works Director

ORDINANCE 6064

AN ORDINANCE to amend Title 13 entitled "Buildings and Construction" of the 2005 Municipal Code of Council Bluffs, Iowa, by amending in part Chapter 13.21 entitled "Property Maintenance Code" and to be codified.

BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:

SECTION 1. ADOPTION.

13.21.010 amended – Adoption. That the section adopting this code shall read as follows:
That a certain document being marked and designated as the "International Property Maintenance Code", 2009 edition, as approved and published by the International Code Council of Falls Church, VA, including the recognized code Referenced Standards contained in IPMC Chapter 8 all as modified or amended therein; be and the same are adopted as the property maintenance code of the City of Council Bluffs, Iowa, one copy of which is on file in the office of the Building Official of Council Bluffs.

This adopted code regulates and governs the conditions and maintenance of all property, buildings, and structures by providing the standards for supplied utilities, facilities, other physical things, and conditions essential to ensure that structures are safe, sanitary, and fit for occupancy and use. Also, this adopted code provides for the condemnation of building and structures unfit for human occupancy and use, and the demolition of such existing structures in Council Bluffs.

Each and all of these regulations, provisions, penalties, conditions and terms of this said property maintenance code are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, along with certain additions, insertions, deletions, and changes.

SECTION 2. AMENDMENTS.

Some of the existing amended sections of the "*International Property Maintenance Code*" are hereby revised, deleted, and/or amended as follows:

13.21.015 Chapter 1 deleted – Administration.

IPMC Chapter 1 is to be deleted in its entirety and be replaced by Chapter 13.01 of the Municipal Code.

13.21.020 Section 101.1 deleted - Title.

IPMC Section 101.1 is to be deleted in its entirety and be replaced by Chapter 13.01 of the Municipal Code.

13.21.030 Section 103.5 deleted - Fees.

IPMC Section 103.5 is to be deleted in its entirety and be replaced by Chapter 13.01 of the Municipal Code.

13.21.040 Section 104.7 deleted - Department Records.

IPMC Section 104.7 is to be deleted in its entirety and be replaced by Chapter 13.01 of the Municipal Code.

13.21.068 Section 309 amended – Extermination.

Municipal Code Section 13.21.068 is to be amend by re-numbering from IPMC Section 308 to Section 309

SECTION 3. REPEALER.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed

SECTION 4. SEVERABILITY CLAUSE.

If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 5. EFFECTIVE DATE.

This ordinance shall be in full force and effect from and after its final passage and publication (- - 2010) as by law provided.

PASSED

AND

APPROVED: _____, 2010

Thomas P. Hanafan, Mayor

Attest: _____
Marcia L. Worden, City Clerk

First Consideration: March 29, 2010
Second Consideration: April 12, 2010
Public Hearing: April 12, 2010
Third Consideration:

COUNCIL COMMUNICATION

Department: Public Works
Case/Project No.: _____
Applicant: Dan Woellhof-CBO

Ordinance No. 6065
Resolution No. _____

First Reading March 29, 2010
Public Hearing April 12, 2010
Second Reading April 12, 2010
Third Reading _____

SUBJECT/TITLE

An ordinance to amend Title 13 entitled "Building Construction" of the 2005 Municipal Code of Council Bluffs, Iowa, by repealing Chapter 13.09 in its entirety and enacting a new Chapter 13.09 to be codified and entitled "Mechanical Code".

BACKGROUND/DISCUSSION

- This proposed ordinance updates the International Mechanical Code from the 2003 edition to the 2009 edition which will make it consistent with the State of Iowa Mechanical Code as adopted and amended in the Iowa Administrative Code Section 661-301.4(103A).

AMENDMENTS

- The administrative provisions for this code are proposed to be moved to Chapter 13.01 of the Municipal Code for conformity and simplicity. The proposed amendments are the same as the State of Iowa Mechanical Code.

CHANGES IN THE EDITIONS

- Additional safety requirements for appliances located in attics, under floors, and on sloped roofs. New installations of Type 1 hood systems shall be designed to automatically activate the exhaust fan whenever cooking operations occur.

RECOMMENDATION

The Public Works Director and the Building Official recommend that the City Council favorably considered this proposed ordinance and pass it into law.

ORDINANCE 6065

AN ORDINANCE to amend Title 13 entitled “Buildings and Construction” of the 2005 Municipal Code of Council Bluffs, Iowa, by repealing Chapter 13.09 in its entirety and enacting a new Chapter 13.09 to be codified and entitled “Mechanical Code”.

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:**

SECTION 1. ADOPTION

That Title 13 entitled “Buildings and Construction” of the 2005 Municipal Code of Council Bluffs, Iowa, is hereby amended by repealing Chapter 13.09 in its entirety and enacting a new Chapter 13.09 to be codified and entitled “Mechanical Code”, to read as follows:

SECTION 13.09.010 ADOPTION. That a certain document being marked and designated as the 2009 edition of the International Mechanical Code, excluding Appendix Chapters A and B, as published by the International Code Council, including the recognized code Referenced Standards contained in Chapter 15 all as modified or amended in the International Mechanical Code referenced herein; be and the same are adopted as the Mechanical Code of the city of Council Bluffs, Iowa, which is on file and open for inspection by the public in the office of the Building Official, are hereby referred to, adopted, and made a part hereof as if fully set out in this chapter, subject to the revisions, modifications, additions, insertions, changes, and/or deletions in sections that are described in the following sections of this chapter. Referenced as a part of the IMC is the International Fuel Gas Code as adopted in Chapter 13.26 of the Municipal Code.

SECTION 2. PROVISIONS.

The above adopted International Mechanical Code shall have these provisions as follows:

SECTION 13.09.020 ADMINISTRATIVE PROVISIONS. The Chapter 1 administrative provisions for this Mechanical Code shall be as provided for in Chapter 13.01 of the Municipal Code.

SECTION 13.09.030 PROVISIONS. This Mechanical Code shall regulate the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided. This Mechanical Code shall be enforced within the city limits of Council Bluffs, Iowa, which provides for issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, conditions and terms of the International Mechanical Code as published by the International Code Council.

SECTION 3. AMENDMENTS

SECTION 13.09.100 AMENDMENTS. The International Mechanical Code sections shall be as amended to coincide with the current State of Iowa IMC amendments in IAC 661-301.4(103A) which are as follows:

13.09.110 Section 403 amended – Mechanical Ventilation. Section 403 shall be deleted in its entirety and enacting a new Section 403 to read as follows:

Section 403 – Mechanical Ventilation. Mechanical ventilation systems shall be designed in accordance with the provisions of ASHRAE Standard 62.1-2007, “Ventilation for Acceptable Indoor Air Quality”, published by the American Society of Heating, Refrigerating and Air-Conditioning Engineers, 1791 Tullie Circle, N.E., Atlanta, GA 30329.

13.09.120 Chapter 15 amended – Referenced Standards. That Chapter 15 shall be amended in part as follows:

Delete all references to the “International Plumbing Code” and insert in lieu thereof the plumbing code as adopted in Chapter 13.12 of the Municipal Code.

Delete all references to the “ICC Electrical Code” and insert in lieu thereof the electrical code as adopted in Chapter 13.16 of the Municipal Code.

SECTION 4. REPEALER.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. SEVERABILITY CLAUSE.

If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 6. EFFECTIVE DATE.

This ordinance shall be in full force and effect from and after its final passage and publication (- - 10) as by law provided.

PASSED
AND
APPROVED: _____, 2010

Thomas P. Hanafan, Mayor

Attest: _____
Marcia L. Worden, City Clerk

First Consideration: March 29, 2010
Public Hearing: April 12, 2010
Second Consideration: April 12, 2010
Third Consideration:



COUNCIL COMMUNICATION

Department: Public Works
Case/Project No.: _____
Applicant: Dan Woellhof-CBO

Ordinance No. 6066
Resolution No. _____

First Reading March 29, 2010
Public Hearing April 12, 2010
Second Reading April 12, 2010
Third Reading _____

SUBJECT/TITLE

- AN ORDINANCE to amend Title 13 entitled "Buildings and Construction" of the 2005 Municipal Code of Council Bluffs, Iowa, by amending Chapter 13.26 to be codified and which is entitled "Fuel Gas Code".

BACKGROUND/DISCUSSION

- This proposed ordinance updates the International Fuel Gas Code from the 2003 edition to the 2009 edition which will make it consistent with the International Mechanical Code 2009 edition.

SIGNIFICANT AMENDMENTS

- The administrative provisions for this code are proposed to be moved to Chapter 13.01 of the Municipal Code for conformity and simplicity.

RECOMMENDATION

The Public Works Director and the Building Official recommend that the City Council favorably considered this proposed ordinance and pass it into law.

Greg Reeder, Public Works Director

ORDINANCE 6066

AN ORDINANCE to amend Title 13 entitled “Buildings and Construction” of the 2005 Municipal Code of Council Bluffs, Iowa, by repealing Chapter 13.26 in its entirety and enacting a new Chapter 13.26 to be codified and entitled “Fuel Gas Code”.

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE**

CITY OF COUNCIL BLUFFS, IOWA:

SECTION 1. ADOPTION

That Title 13 entitled “Buildings and Construction” of the 2005 Municipal Code of Council Bluffs, Iowa, is hereby amended by repealing Chapter 13.26 in its entirety and enacting a new Chapter 13.26 to be codified and entitled “Fuel Gas Code”, to read as follows:

SECTION 13.26.010 ADOPTION. That a certain document being marked and designated as the 2009 edition of the International Fuel Gas Code, including Appendix A, B, C, & D, as published by the International Code Council of Falls Church, VA, including the recognized code Referenced Standards contained in Chapter 8 all as modified or amended in the International Fuel Gas Code referenced herein; be and the same are adopted as the Fuel Gas Code of the city of Council Bluffs, Iowa, which is on file and open for inspection by the public in the office of the Building Official, are hereby referred to, adopted, and made a part hereof as if fully set out in this chapter, subject to the revisions, modifications, additions, insertions, changes, and/or deletions in sections that are described in the following sections of this chapter.

SECTION 2. PROVISIONS.

The above adopted edition of the International Fuel Gas Code shall have these provisions as follows:

SECTION 13.26.020 ADMINISTRATIVE PROVISIONS. The administrative provisions for this Fuel Gas Code shall be as provided for in Chapter 13.01 of the Municipal Code.

SECTION 13.26.030 PROVISIONS. This Fuel Gas Code regulates the installation of fuel gas piping systems, fuel gas appliances, gaseous hydrogen systems, and related accessories.

This Fuel Gas Code is enforced within the city limits of Council Bluffs, Iowa, which provides for issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, conditions and terms of the International Fuel Gas Code as published by the International Code Council.

SECTION 3. AMENDMENTS

SECTION 13.26.050 AMENDMENTS. The existing building code shall be as amended to coincide with the State of Iowa in IAC661-301.7(103A) and the amendments are as follows:

13.26.051 Chapter 1 deleted-- Administration. IFGC Chapter 1 shall be deleted in its entirety and be replaced by Chapter 13.01 of the Municipal Code.

13.26.055 Chapter 8 amended – Referenced Standards. IFGC Chapter 8 shall be amended

in part for the following International Code Council Referenced Standards which are as follows:

IPC- any reference to the International Plumbing Code shall be amended to be the Plumbing Code as mandated, adopted and amended by the State of Iowa and as in Chapter 13.12 of the Municipal Code.

IFGC - any reference to the Fuel Gas Code shall coincide with the State of Iowa Fuel Gas Code as adopted and amended by the State of Iowa Public Safety Department as described in Title 661 of the Iowa Administrative Code in Section 661-221(103A).

SECTION 4. REPEALER.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. SEVERABILITY CLAUSE.

If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 6. EFFECTIVE DATE.

This ordinance shall be in full force and effect from and after its final passage and publication (- - 10) as by law provided.

PASSED

AND

APPROVED: _____, 2010

Thomas P. Hanafan, Mayor

Attest: _____
Marcia L. Worden, City Clerk

First Consideration: March 29, 2010
Public Hearing: April 12, 2010
Second Consideration: April 12, 2010
Third Consideration:

Council Communication

Department: Public Works	Ordinance No. <u>6070</u>	First Reading	04/12/10
Division: Building		Public Hearing	04/26/10
Case/Project No.		Second Reading	04/26/10
Applicant: Dan Woellhof		Third Reading	05/10/10

Subject/Title

AN ORDINANCE to amend Title 13 entitled "Buildings and Construction" of the 2005 Municipal Code of Council Bluffs, Iowa, by amending Chapter 13.06 entitled "Residential Code" to be codified.

Background/Discussion

This proposed ordinance updates the International Residential Code from the 2003 edition to the 2009 edition which will make it coincide with the State of Iowa Residential Building Code adopted edition in Title 661 of the IAC Chapter 301 Section 661-301.8 (103A) but will not coincide with the State amendments. The fire sprinkling requirement in R313 may be enacted later by City Council.

Significant Amendments

The administrative provisions for this code are proposed to be moved to Chapter 13.01 of the Municipal Code for conformity and simplicity.

311.6.1	Max slope of ramps	M	Ramp slope changed from 1:8 to 1:12 except where technically infeasible
317.1	Fire separation of 2 family dwellings	A	In the attic, changed from being a wall assembly to a draft stop between units
319.1	Protection of wood members against decay	M	Field cuts of preservative treated wood now to be treated in the field, previously not required
319.1.5	Protection of glued-laminated members	A	Addresses modification required if glued-lam members are exposed to weather
402.2	Minimum specified compressive strength of concrete	A	Garage floor air content of concrete reduced from not less than 5% to not less than 3%, which helps finishers.
404.5	Retaining walls	A	Increased the designed factor of safety for retaining walls against sliding & overturning
506.2.4	Support of reinforcement bars	A	Rebars to be supported & to remain in place during pour
602.6.1	Drilling and notching of top plate	C	Metal tie only fastened to 1 top plate instead of both
602.10.6.1	Alternate braced wall panels	M	On either side of a garage door, this provides more flexibility by eliminating the min. 2'8"x10 panel
613.2	Window sills	A	Windows >72" above finished grade to be 24" min between floor and opening
702.4.2	Cement backers	A	For tub & shower areas, the backers/wall panels to be cement, fiber-cement, or glass mat gypsum backers
1101.88	Certificate	A	Permanent energy value certificate to be posted inside the electric panel
A = Addition M = Modification C = Clarification			

Opposition

A proposed ordinance to update to the 2006 edition was presented to the Council Bluffs Building Trades Association Board on June 2009 and their written response was: "We feel that with the present economic situation and the decrease in the building of homes in the area, we want to delay any changes to the present International Residential Code. We feel that the changes at this time would add additional expenses to the homes. There does not appear that there would be any danger put on the public by leaving the IRC 2003 edition in tack."

Recommendation

The Public Works Director and the Building Official recommend that the City Council favorably consider this proposed ordinance and pass it into law.

Public Works Director's Signature

661—301.8 (103A)

Residential construction requirements.

The provisions of the International Residential Code, 2009 edition, published by the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041, are hereby adopted by reference as the requirements for construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures, with the following amendments:

Delete section R101.1.

Delete sections R103 to R114 and sections therein.

Note:

The values for table R301.2(1) shall be determined by the location of the project and referenced footnotes from table R301.2(1).

Delete chapter 11.

Delete all references to the “International Plumbing Code” and insert in lieu thereof “state plumbing code.”

Delete section R310.1 and insert in lieu thereof the following new section:

R310.1 Emergency escape and rescue required. Basements and every sleeping room shall have at least one operable emergency and rescue opening. Such opening shall open directly into a public street, public alley, yard or court. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. Where emergency escape and rescue openings are provided they shall have a sill height of not more than 44 inches (1118 mm) above an adjacent permanent interior standing surface. The adjacent permanent interior standing surface shall be no less than 36 inches wide and 18 inches deep and no more than 24 inches high. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with section R310.3. The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. Emergency escape and rescue openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with section R310.2. Emergency escape and rescue openings shall open directly into a public way, or to a yard or court that opens to a public way.

Exception:

Basements used only to house mechanical equipment and not exceeding total floor area of 200 square feet (18.58 m²).

Delete section R313.1 and insert in lieu thereof the following new section:

R313.1 Townhouse automatic residential fire sprinkler systems. Effective January 1, 2013, an automatic residential fire sprinkler system shall be installed in townhouses.

Exception:

An automatic residential fire sprinkler system shall not be required when additions or alterations are made to an existing townhouse that does not have an automatic residential fire sprinkler system installed.

Delete section R313.2 and insert in lieu thereof the following new section:

R313.2 One- and two-family dwellings automatic residential fire sprinkler systems. Effective January 1, 2013, an automatic residential fire sprinkler system shall be installed in one- and two-family dwellings.

Exception:

An automatic residential fire sprinkler system shall not be required for additions or alterations to an existing building that is not already provided with an automatic fire sprinkler system.

Amend section R322.1.7 by striking the words “Chapter 3 of the International Private Sewage Disposal Code” and inserting in lieu thereof “567 Iowa Administrative Code Chapter 69.”

Delete section R907.3 and insert in lieu thereof the following new section:

R907.3 Recovering versus replacement. New roof coverings shall not be installed without first removing all existing layers of roof coverings where any of the following conditions exist:

1. Where the existing roof or roof covering is water-soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.
2. Where the existing roof covering is wood shake, slate, clay, cement or asbestos cement tile.

3. Where the existing roof has two or more applications of any type of roof covering.

Delete chapter 24 and sections therein and insert in lieu thereof the following new section:

All fuel gas piping installations shall comply with rule 661—301.9(103A).

Delete chapters 25 to 33 and sections therein, except for section P2904, and insert in lieu thereof the following new section:

All plumbing installations shall comply with the state plumbing code as adopted by the state plumbing and mechanical systems board pursuant to Iowa Code chapter 105.

Exception:

Factory-built structures, as referenced by Iowa Code section 103A.10(3), that contain plumbing installations are allowed to comply with either the state plumbing code or with the International Plumbing Code, 2009 edition, published by the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041. The manufacturer's data plate must indicate which plumbing code was utilized for compliance with this rule, as required by 661—paragraph 16.610(15)“e.”

Delete chapters 34 to 43 and sections therein and insert in lieu thereof the following new section:

All electrical installations shall comply with National Electrical Code, 2008 edition, as amended by rule 661—301.5(103A).

Delete appendices A through Q.

© Iowa Legislature

ORDINANCE # 6070

AN ORDINANCE to amend Title 13 entitled “Buildings and Construction” of the 2005 Municipal Code of Council Bluffs, Iowa, by amending Chapter 13.06 entitled “Residential Code” to be codified.

BE IT ORDAINED

BY THE CITY COUNCIL

OF THE

CITY OF COUNCIL BLUFFS, IOWA:

SECTION 1. ADOPTION

That Title 13 entitled “Buildings and Construction” of the 2005 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Chapter 13.06 entitled “Residential Code”, and amend the International Residential Code adoption found in Municipal Code Section 13.06.010 to read as follows:

SECTION 13.06.010 ADOPTION. That a certain document being marked and designated as the International Residential Code, 2009 edition, excluding all Appendix Chapters, as published by the International Code Council, including the recognized code Referenced Standards contained in Chapter 44 all as modified or amended in the International Residential Code referenced herein; be and the same are adopted as the Residential Code of the city of Council Bluffs, Iowa, which is on file and open for inspection by the public in the office of the Building Official, are hereby referred to, adopted, and made a part hereof as if fully set out in this chapter, subject to the revisions, modifications, additions, insertions, changes, and/or deletions in sections that are described in the following sections of this chapter.

SECTION 2. AMENDMENTS

The Municipal Code Chapter 13.06 shall be as amended as follows:

SECTION 13.06.020 through SECTION 13.06.250 – Deleted. The existing amendments in Section 13.06.020 through Section 13.06.250 are to be deleted.

SECTION 13.06.255 Chapter 1 deleted – Scope and Administration. Chapter 1 of the IRC shall be deleted and shall be replaced as provided for in Chapter 13.01 of the Municipal Code.

SECTION 13.06.260 Section R202 amend by adding – Sleeping Room. *No Changes*

SECTION 13.06.270 Table R301.2(1) Climatic and Geographic Design Criteria – Deleted. The IRC Climatic and Geographic Design Criteria as reference in Table R301.2(1) for building construction in Council Bluffs shall be as outlined in Section 13.01.221 of the Municipal Code.

SECTION 13.06.280 Section R303.1.3 added – Habitable Rooms – Exception 3. Only the IRC exception number shall be amended from Exception 3 to Exception 5 and the text to remain the same.

SECTION 13.06.290 Section R303.1.4 added – Habitable rooms – Exception 4. *No Changes*

SECTION 13.06.300 Section R301.1 amended – Access, exits and emergency escapes. *No Changes*

SECTION 13.06.305 Section R313 deleted – Automatic Fire Sprinkler Systems. This IRC Section R313 shall be deleted/postponed from enactment to a later date as determined by the City Council.

SECTION 13.06.310 Section R323.1.2 deleted – Protection of Wood – Location required. This Municipal Code Section 13.06.310 amendment shall be deleted.

SECTION 13.06.320 Section R323 deleted – Flood Resistant Construction. Only the IRC section numbering shall be amended from Section R323 to Section 322 and the text to remain the same.

SECTION 13.06.330 Section R403.1.9 added – Footing depth. *No Changes*

SECTION 13.06.340 Section R502.3 deleted – Allowable joist spans. Municipal Code Section 13.06.340 amendment shall be deleted.

SECTION 13.06.350 Section R502.31 deleted – Sleeping areas and attic joists. Municipal Code Section 13.06.350 amendment shall be deleted.

SECTION 13.06.360 Section R502.3.2 deleted – Other floor joists. Municipal Code Section 13.06.360 amendment shall be deleted.

SECTION 13.06.370 Section R602.6.2 added – DWV walls. *No Changes*

SECTION 13.06.380 Chapter 11 deleted – Energy Efficiency IRC Chapter 11 to be deleted in its entirety and replaced with Chapter 20 of the Municipal Code.

SECTION 13.06.382 Chapter 12 through Chapter 23 deleted – Mechanical IRC Chapter 12 through Chapter 23 are to be deleted in their entirety and replaced with Chapter 13.09 of the Municipal Code.

SECTION 13.06.384 Chapter 24 deleted – Fuel Gas IRC Chapter 24 is to be deleted in its entirety and replaced with Chapter 13.26 of the Municipal Code.

SECTION 13.06.386 Chapter 25 through Chapter 33 deleted – Plumbing IRC Chapter 25 through Chapter 33 are to be deleted in their entirety and replaced with Chapter 13.12 of the Municipal Code.

SECTION 13.06.388 Chapter 34 through Chapter 43 deleted – Electrical. IRC Chapter 34 through Chapter 43 are to be deleted in their entirety and replaced with Chapter 13.16 of the Municipal Code.

SECTION 13.06.390 Section P2603.6.1 deleted – Sewer depth. Municipal Code Section P2603.6.1 amendment to be deleted in its entirety.

SECTION 13.06.400 Section P3103.1 deleted – Roof Vent extension. Municipal Code Section 13.06.400 amendment shall be deleted in its entirety.

SECTION 13.06.410 Chapter 44 amended – Reference Standards.

IRC Chapter 44 shall be amended in part by amending only these references as follows:

IECC – International Energy Conservation Code shall be amended to be the Energy Code as adopted in Chapter 13.20 of the Municipal Code.

IPC – International Plumbing Code shall be amended to be the Plumbing Code as adopted in Chapter 13.12 of the Municipal Code.

ICC Electrical Code – International Electrical Code shall be amended to be the Electrical Code as adopted in Chapter 13.16 of the Municipal Code.

IPSDC – International Private Sewage Disposal Code shall be amended to be the Private Sewage Disposal Code as adopted in Iowa Administrative Code 567 Chapter 69.

IFGC – International Fuel Gas Code shall be amended to be the Fuel Gas Code as adopted in Chapter 13.26 of the Municipal Code.

IMC – International Mechanical Code shall be amended to be the Mechanical Code as adopted in Chapter 13.09 of the Municipal Code.

IBC – International Building Code shall be amended to be the Building Code as adopted in Chapter 13.08 of the Municipal Code.

SECTION 3. REPEALER.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE.

If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 5. EFFECTIVE DATE.

This ordinance shall be in full force and effect from and after its final passage and publication (- - 2010) as by law provided.

PASSED

AND

APPROVED: _____, 2010

First Consideration: April 12, 2010

Public Hearing: April 26, 2010

Second Consideration: April 26, 2010

Third Consideration:

Thomas P. Hanafan, Mayor

Attest: _____
Marcia L. Worden, City Clerk

Council Communication

Department: Public Works Division: Building Case/Project No. Applicant: Dan Woellhof	Ordinance No. <u>6071</u>	First Reading 04/12/10 Second Reading 04/26/10 Third Reading 05/10/10
Subject/Title		
AN ORDINANCE to amend Title 13 entitled “Buildings and Construction” of the 2000 Municipal Code of Council Bluffs, Iowa, by amending Chapter 13.13 to be codified and to be entitled “Licensing/Registration of the Utility Trade”.		
Background/Discussion		
<p>The State of Iowa passed legislation that prohibited jurisdictions from licensing the Plumbing and Mechanical trades after July 1, 2009, and created a State of Iowa license for those two trades. Those two trades commenced applying and receive their State license around the first of 2009. Most of persons in the two trades in the Council Bluffs area received their State license in the first part of 2009 so that they could get permits after July 1, 2009.</p> <p>Then the State passed additional legislation that modified their stance on work outside of a building and there became no license regulation of utility workers.</p> <p>Therefore, the city needs to retain a portion Chapter 13.13 of the Municipal Code that addresses Utility licensing/registration.</p> <p>The purpose of this chapter is to provide for the licensing of the utility trade doing work in the public-right-of-way and on private property in Council Bluffs, Iowa, in order to protect public safety, health, and welfare of the citizens.</p> <p>The scope of this chapter is for that utility work on the outside of buildings to include but not limited to: sanitary sewer mains/laterals, water mains/laterals, septic tanks/fields, and storm sewer mains/laterals.</p> <p>This chapter is in accordance with Iowa Administrative Code Section 105.11.12</p> <p>The utility work outside of a building is currently unregulated by State of Iowa licensing. This proposed ordinance re-establishes local utility licensing/registration.</p>		
Recommendation		
The Public Works Director and the Building Official recommends that the City Council favorably consider this proposed ordinance and pass it into law.		

Public Works Director's Signature

ORDINANCE # 6071

AN ORDINANCE to amend Title 13 entitled “Buildings and Construction” of the 2000 Municipal Code of Council Bluffs, Iowa, by amending Chapter 13.13 to be codified and to be entitled “Licensing/Registration of the Utility Trade”.

BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:

SECTION 1. TITLE.

That Chapter 13.13 of the 2000 Municipal Code of Council Bluffs, Iowa, is hereby amended to be codified and to be entitled “Licensing/Registration of the Utility Trade”, to read as follows:

**CHAPTER 13.13
LICENSING/REGISTRATION OF THE
PLUMBING UTILITY TRADE**

13.13.010 Title amended

This chapter shall be known as the licensing ~~/registration~~ of the ~~Plumbing~~ Utility trade, and may be so cited.

13.13.020 Purpose and scope amended

The purpose of this chapter is to provide for the licensing of the ~~plumbing~~ utility trade doing work in the public-right-of-way and on private property in Council Bluffs, Iowa, in order to protect public safety, health, and welfare of the citizens. The scope of this chapter is for that utility work on the outside of buildings to include but not limited to: sanitary sewer mains/laterals, water mains/laterals, septic tanks/fields, and storm sewer mains/laterals. This chapter is in accordance with IAC105.11.12

13.13.100 Board of Appeals amended

The board of appeals information shall be as specified in Chapter 13.01 of the Municipal Code.

13.13.110 Limitations of the board deleted

13.13.120 Membership of the board deleted

13.13.130 Records of the board deleted

13.13.140 Terms of the board deleted

13.13.150 Meetings of the board deleted

13.13.160 Duties of the board deleted

13.13.170 Appeal procedure for the board deleted

13.13.180 Examination amended

Any person desiring a Utility Journeyman or Utility Master license ~~in certain classifications described in this chapter~~ must pass a proctored examination before being able to obtain a license if not able to the reciprocation conditions outlined in Section 13.13.310.

13.13.190 Examination Application amended

Any person desiring ~~any classifications of: Plumbing Master, Plumbing Journeyman, Utility Master or Utility Journeyman~~ shall make application to the plumbing inspector for an examination. The plumbing inspector shall provide forms for this purpose. Applicants will apply for testing to be a ~~Plumbing Master, Plumbing Journeyman,~~ Utility Master or a Utility Journeyman. The applicants shall be reviewed and approved to see if their qualifications for examination have been satisfied. The applicants shall clearly verify in writing their experience for the particular classification of license desired as described in Municipal Code Section 13.13.195.

13.13.195 Examination Qualifications amended

- | | | |
|-----|--------------------------------|-----------|
| (a) | Plumbing Master. | deleted |
| (b) | Plumbing Journeyman | deleted |
| (c) | Utility Master. | no change |
| (d) | Utility Journeyman. | no change |
| (e) | Tradesperson and/or Apprentice | no change |

13.13.200 Examination Fee no change

13.13.210 Examination Methods no change

13.13.220 Examination – failure no change

13.13.230 Plumbing deleted

13.13.240 Utilities definitions no change

- | | | |
|-----|---------------------|-----------|
| (a) | Utility Work. | no change |
| (b) | Utility Master. | no change |
| (c) | Utility Journeyman. | no change |
| (d) | Utility Apprentice. | no change |

13.13.245 General Contractor no change

13.13.250 Lawn sprinkling deleted

13.13.260 Water conditioning deleted

13.13.270 Drain cleaning deleted

13.13.290 Licensing amended

- (a) Classifications for this chapter are as follows: ~~Plumbing and~~ Utility Master, ~~Plumbing and~~ Utility Journeyman, and/or ~~Plumbing and~~ Utility Apprentice
- (b) All licenses and registrations shall expire on June 1st of each odd numbered year and may be renewed thereafter biennially upon application of the licensee or registrant with payment of the annual fee to the city ~~clerk~~ treasurer.
- (c) Any licensee whose license has expired shall have the right to renew such license, without examination, on or before the following August 1st.
- (d) New licenses/registrations may be prorated on a half-year basis.
- (e) An identification card shall be furnished a licensee by the city of Council Bluffs at the time of the issuance of such license/registration, and the identification card shall be worn or carried on the person of such licensee/registrant at all times during the working period of the licensee, and failure to do so shall be deemed a violation of the provisions of this chapter.
- (f) On or before May 1st of each renewal year, the city will send notices to the licensee's/registrant's last known address informing them that their license is nearing expiration. The provision of this subsection is as a courtesy to the licensee/registrant, and the failure of the city to send such a notice or the failure of the licensee/registrant, to receive such notice does not affect the expiration date of the license/registration, so long as the license issued by the city showed an expiration date thereon.
- (g) All of the above listed masters, journeymen, ~~tradespersons~~ and apprentices shall be subject to the laws of the state of Iowa and the ordinances of the Municipal Code for the city of Council Bluffs, Iowa.

13.13.300 License Fees amended

Before a license shall be issued under this chapter, the applicant shall pay the biennial license fees as set forth in the current schedule of fees found as adopted by the city council. ~~If an expired license/registration is not renewed by the following July 15th, there will be a penalty fee as set forth in the current schedule of fees.~~

13.13.310 License reciprocity conditions amended

- (a) no change
- (b) delete

13.13.320 License suspension or revocation no change

13.13.330 License transfer prohibited no change

13.13.340 Masters no change

13.13.350 Master's license required amended

No person, company, partnership, firm, corporation, and/or association shall engage in business as a master and do work on a ~~plumbing~~ utility system within the city of Council Bluffs, unless such person, company, firm, partnership, corporation, and/or association shall have obtained from the city of Council Bluffs a master's license.

13.13.360 Master - Insurance required no change

13.13.370	Master - Bond required	no change
13.13.380	Master – Advertising	deleted
13.13.390	Journeyman	no change
13.13.400	Master’s and Journeyman’s continuing education	deleted
13.13.410	Utility Apprentice	no change
13.13.420	Violation – Penalty	no change

SECTION 5. REPEALER.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. SEVERABILITY CLAUSE.

If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 7. EFFECTIVE DATE.

This ordinance shall be in full force and effect from and after its final passage and publication (- - 2010) as by law provided.

PASSED
AND
APPROVED: _____, 2010

Thomas P. Hanafan, Mayor

Attest: _____
Marcia L. Worden, City Clerk

First Consideration: April 12, 2010
Second Consideration: April 26, 2010
Third Consideration:

Council Communication

Department: Public Works Division: Building Case/Project No. Applicant: Dan Woellhof	Ordinance No. <u>6072</u>	First Reading 04/12/10 Public Hearing 04/26/10 Second Reading 04/26/10 Third Reading 05/10/10
Subject/Title		
AN ORDINANCE to amend Title 13 entitled "Buildings and Construction" of the 2005 Municipal Code of Council Bluffs, Iowa, by amending Chapter 13.23 which is entitled "Existing Building Code" and to be codified.		
Background/Discussion		
<p>This proposed ordinance updates the International Existing Building Code from the 2003 edition to the 2009 edition which will make it coincide with the State of Iowa Existing Building Code as adopted and amended in Title 661 of the IAC Chapter 301 Section 661-301.7 (103A) and also IAC Chapter 350 Section 350 (103A) for historical buildings.</p> <p>In regards to proposed amendment of 13.23.170, the IEBC may be used for those building constructed prior to 1959, which was when the first Uniform Building Code was adopted in the city. There are times when alterations are very difficult to comply with the building code, so the designer may choose to use the IEBC which has a prescriptive compliance method.</p>		
Significant Changes		
<p>Section 3401.4, Alternative compliance of the <i>International Building Code (IBC)</i>, which states, "<i>Work performed in accordance with the International Existing Building Code shall be deemed to comply with the provisions of this chapter.</i>" This new allowance recognizing the IEBC was based on its value as an affordable, reasonable, and valuable alternative to the IBC and IRC.</p> <p>Section 912.5.1. In the Change of Occupancy provisions, this section is revised to include an exception allowing the use of fire barrier walls in place of fire walls to meet areas limitations. Sprinklers are required in conjunction with this fire barrier option.</p>		
Recommendation		
The Public Works Director and the Building Official recommend that the City Council favorably consider this proposed ordinance and pass it into law.		

Public Works Director's Signature

State of Iowa

Iowa Administrative Code

661—301.7 (103A) Existing buildings.

301.7(1) *Definition.*

“Existing building” means a building erected prior to January 1, 2010.

301.7(2) *Adoption.*

The provisions of the International Existing Building Code, 2009 edition, published by the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041, are hereby adopted by reference as the requirements for repair, alteration, change of occupancy, addition, and relocation of existing buildings, with the following amendments:

Delete section 101.1.

Delete section 101.4.2 and insert in lieu thereof the following new section:

101.4.2 Buildings Previously Occupied. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as specifically covered in this code or the state fire code, or as deemed necessary by the building code commissioner for the general safety and welfare of the occupants and the public.

Delete section 101.5.4.

Delete section 101.5.4.1.

Delete section 101.5.4.2.

Delete section 101.7.

Delete sections 103, 104, and 105 and sections therein.

Delete sections 106.1, 106.3.1, 106.3.3, 106.5, and 106.6.

Delete sections 108, 109, 110, 112, 113, 114, 115, 116 and 117 and sections therein.

Delete section 605.

Delete section 706.

Delete section 806.

Delete section 912.8.

Delete chapters A1 through A5.

Delete appendix B and insert in lieu thereof the following new section:

Any building or facility subject to this rule shall comply with the provisions of 661—Chapter 302.

Delete resource A.

Delete all references to the “International Plumbing Code” and insert in lieu thereof “state plumbing code.”

Delete all references to the “ICC Electrical Code” and insert in lieu thereof “National Electrical Code, 2008 edition, as amended by rule 661—301.5(103A).”

Delete all references to the “International Fuel Gas Code” and insert in lieu thereof “rule 661—301.9(103A).”

It is the designer's option to use the IEBC or the IBC or the IRC.

SECTION 3. AMENDMENTS

SECTION 13.23.100 AMENDMENTS. The existing building code shall be as amended to coincide with the State of Iowa in IAC661-301.7(103A) and the amendments are as follows:

13.23.110 Chapter 1 deleted – Administration. Chapter 1 shall be deleted in its entirety and be replaced by Chapter 13.01 of the Municipal Code.

13.23.120 Section 202 amended – Definitions. Section 202 shall be amended by amending only the definition of “Historic Building” to read as follows:

“Historic building” means any building or structure that is listed in the state of National Register of Historic Places; that is designated as a historic property under local or state designation law or survey; that is certified as a contributing resource within a National Register-listed or locally designated historic district; or that has an opinion or certification that the property is eligible to be listed on the state or National Register of Historic Places either individually or as a contributing building to a historic district by the state historic preservation officer pursuant to Iowa Code Section 103A.42 or the Keeper of the National Register of Historic Places.

13.23.130 Section 605 deleted – Accessibility. Section 605 shall be deleted in its entirety and be replaced by Iowa Administrative Code 661-Chapter 302 (103A).

13.23.140 Section 706 deleted – Accessibility. Section 706 shall be deleted in its entirety and be replaced by Iowa Administrative Code 661-Chapter 302 (103A).

13.23.150 Section 806 deleted – Accessibility. Section 806 shall be deleted in its entirety and be replaced by Iowa Administrative Code 661-Chapter 302 (103A).

13.23.160 Section 912.8 deleted – Accessibility. Section 912.8 shall be deleted in its entirety and be replaced by Iowa Administrative Code 661-Chapter 302 (103A).

13.23.170 Section 1301.2 amended – Applicability. Section 1301.2 shall be amended in its entirety to read as follows:

Structures existing that were constructed prior to 1959 in which there is work involving additions, alterations, or changes of occupancy may shall be made to conform to the requirements of this chapter or the provisions of IEBC Chapters 4 through 12. The provisions of Sections 1301.2.1 through 1301.2.5 may shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, and S. These provisions shall not apply to buildings with occupancies in Group H or Group I. It is the designer's option to use the IEBC or the IBC or the IRC.

13.23.180 Chapter 15 amended – Referenced Standards. Chapter 15 shall be amended in part regarding the following Codes as published by the International Code Council of Falls Church, VA, are hereby amended throughout this Code for the following Referenced Standards:

1. IECC—International Energy Conservation Code shall be amended to be the Energy Code as adopted in Chapter 13.20 of the Municipal Code.
2. IPC—International Plumbing Code shall be amended to be the Plumbing Code as adopted in Chapter 13.12 of the Municipal Code.
3. IPSDC—International Private Sewage Disposal Code shall be amended to be the Plumbing Code as adopted in Chapter 13.12 of the Municipal Code.
4. ICC Electrical Code—International Code Council Electrical Code shall be amended to be the Electrical Code as adopted in Chapter 13.16 of the Municipal Code.

13.23.190 Resource A deleted – Guidelines on Fire Ratings of Archaic Materials and

ORDINANCE # 6072

AN ORDINANCE to amend Title 13 entitled “Buildings and Construction” of the 2005 Municipal Code of Council Bluffs, Iowa, by repealing Chapter 13.23 in its entirety and enacting a new Chapter 13.23 entitled “Existing Building Code” and to be codified.

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:**

SECTION 1. ADOPTION

That Title 13 entitled “Buildings and Construction” of the 2005 Municipal Code of Council Bluffs, Iowa, is hereby amended by repealing Chapter 13.23 in its entirety and enacting a new Chapter 13.23 to be codified and entitled “Existing Building Code”, to read as follows:

SECTION 13.23.010 ADOPTION. That a certain document being marked and designated as the 2009 edition of the International Existing Building Code, excluding Appendix Chapters A and B, as published by the International Code Council of Falls Church, VA, including the recognized code Referenced Standards contained in Chapter 15 all as amended in the herein; be and the same are adopted as the Existing Building Code of the city of Council Bluffs, Iowa, which is on file and open for inspection by the public in the office of the Building Official, are hereby referred to, adopted, and made a part hereof as if fully set out in this chapter, subject to the revisions, modifications, additions, insertions, changes, and/or deletions in sections that are described in the following sections of this chapter.

The city of Council Bluffs Existing Building Code will coincide with the State of Iowa Existing and Historical Building Codes as adopted and amended by the State of Iowa Public Safety Department as described in the Iowa Administrative Code Section 661-301.7(103A) and Section 661-350(103A).

SECTION 2. PROVISIONS.

The above adopted edition of the International Existing Building Code shall have these provisions as follows:

SECTION 13.23.020 ADMINISTRATIVE PROVISIONS. The administrative provisions for this Existing Building Code shall be as provided for in Chapter 13.01 of the Municipal Code.

SECTION 13.23.030 PROVISIONS. This Existing Building Code regulates the repair, alteration, change of occupancy, addition and relocation of existing buildings, regardless of occupancy by providing flexibility to permit the use of alternative approaches to achieve compliance with the minimum code requirements. This Existing Building Code is applicable to historical buildings.

This Existing Building Code is to be enforced with the city limits of Council Bluffs, Iowa, which provides for issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, conditions and terms of the International Existing Building Code as published by the International Code Council.

Assemblies. Resource A shall be deleted in its entirety.

SECTION 4. REPEALER.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. SEVERABILITY CLAUSE.

If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 6. EFFECTIVE DATE.

This ordinance shall be in full force and effect from and after its final passage and publication (- - 10) as by law provided.

PASSED
AND
APPROVED: _____, 2010

Thomas P. Hanafan, Mayor

Attest: _____
Marcia L. Worden, City Clerk

First Consideration: April 12, 2010
Public Hearing: April 26, 2010
Second Consideration: April 26, 2010
Third Consideration:

Council Communication

Department: Public Works Division: Building Case/Project No. Applicant: Dan Woellhof	Ordinance No. <u>6073</u>	First Reading 04/12/10 Public Hearing 04/26/10 Second Reading 04/26/10 Third Reading 05/10/10
Subject/Title		
AN ORDINANCE to amend Title 13 entitled "Buildings and Construction" of the 2005 Municipal Code of Council Bluffs, Iowa, by repealing Chapter 13.08 entitled "Building Code" in its entirety and enacting a new Chapter 13.08 entitled "Building Code" to be codified.		
Background/Discussion		
This proposed ordinance updates the International Building Code from the 2003 edition to the 2009 edition which will make it coincide with the State of Iowa Building Code as adopted in Title 661 of the IAC Chapter 301 Section 661-301.3 (103A) with the State of Iowa amendments in <i>italics</i> .		
Significant Amendments		
The administrative provisions for this code are proposed to be moved to Chapter 13.01 of the Municipal Code for conformity and simplicity.		
508.3.3	Required separation of occupancies	Reduction of fire separations between occupancies for designers
717.3.1	Draftstopping materials	Additional materials allowed for draftstopping
904.11.1	Fire protection of commercial cooking systems	Modification to match NFPA codes
903.2.1.2	Sprinkler systems in assembly uses intended for food & drink	Reduction from 300 to 100 occupants before fire sprinkler required in new construction
1008.1.9	Panic and fire exit hardware	Modifications to match NFPA codes
1009.5.3	Enclosed usable space under stairways	enclosures under stairs to have 1 hr rated construction, previously no rating required
1009.11.2	Protection at roof hatch openings	Add protection for hazards on roofs
1014.4.2	Aisle accessways in stores	Modify mercantile aisle width from 28" to 30" minimum
Recommendation		
The Public Works Director and the Building Official recommend that the City Council favorably consider this proposed ordinance and pass it into law.		

Public Works Director's Signature

STATE OF IOWA:

661—301.3(103A) General provisions.

The provisions of the International Building Code, 2009 edition, published by the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041, are hereby adopted by reference as the general requirements for building construction, with the following amendments:

Delete section 101.1.

Delete section 101.2 and insert in lieu thereof the following new section:

101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the International Residential Code, as amended by rule 661—301.8(103A).

Delete section 101.4 and sections therein.

Delete section 102.6 and insert in lieu thereof the following new section:

102.6 Existing Structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as specifically covered in this code or the state fire code, or as deemed necessary by the building code commissioner for the general safety and welfare of the occupants and the public.

Delete sections 103, 104, 105 and sections therein.

Delete section 106.2.

Delete section 107.1 and insert in lieu thereof the following new section:

107.1 General. Submittal documents consisting of construction documents, statement of special inspections, a geotechnical report and other data shall be submitted in one or more sets with each plan review application. The construction documents shall be prepared by a responsible design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the commissioner is authorized to require additional construction documents to be prepared by a responsible design professional.

Exception: The commissioner is authorized to waive the submission of construction documents and other data not required to be prepared by a responsible design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

Delete sections 107.3, 107.4, and 107.5 and sections therein.

Delete sections 109, 110, 111, 112, 113, 114, 115, and 116 and sections therein.

Delete section 906.1 and insert in lieu thereof the following new section:

906.1 Where required. Portable fire extinguishers shall be installed in the following locations:

1. In new and existing Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.
2. Within 30 feet (9144 mm) of commercial cooking equipment.
3. In areas where flammable or combustible liquids are stored, used or dispensed.
4. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 1415.1 of the International Fire Code.
5. Where required by the sections indicated in Table 906.1.
6. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the fire code official.

Delete section 907.2.2 and insert in lieu thereof the following new section:

907.2.2 Group B. A manual fire alarm system shall be installed in Group B occupancies where one of the following conditions exists:

1. The combined Group B occupant load of all floors is 500 or more.
2. The Group B occupant load is more than 100 persons above or below the lowest level of exit discharge.
3. The Group B fire area contains a Group B ambulatory health care facility.
4. The Group B fire area contains an educational occupancy for students above the twelfth grade with an occupant load of 50 or more persons.

Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

Delete section 907.2.3 and insert in lieu thereof the following new section:

907.2.3 Group E. In the absence of a complete automatic sprinkler system, a complete automatic detection system shall be installed throughout the entire Group E occupancy. A Group E occupancy with a complete automatic sprinkler system shall be provided with a fire alarm system with a minimum of corridor smoke detection, at a maximum spacing of 30 feet on center, and heat or smoke detection in any hazardous or nonoccupied areas. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

Exceptions:

1. Group E occupancies with an occupant load of less than 50.
2. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:
 - 2.1. Interior corridors are protected by smoke detectors with alarm verification.
 - 2.2. Auditoriums, cafeterias, gymnasiums and the like are protected by heat detectors or other approved detection devices.
 - 2.3. Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved detection devices.
 - 2.4. Off-premises monitoring is provided.

2.5. The capability to activate the evacuation signal from a central point is provided.

2.6. In buildings where normally occupied spaces are provided with a two-way communication system between such spaces and a constantly attended receiving station from which a general evacuation alarm can be sounded, except in locations specifically designated by the fire code official.

3. Manual fire alarm boxes shall not be required in Group E occupancies where the building is equipped throughout with an approved automatic sprinkler system, the notification appliances will activate on sprinkler water flow and manual activation is provided from a normally occupied location.

Add the following new section 1003.8:

1003.8 Location of Preschool through Second Grade Students. In Group E occupancies, rooms normally occupied by preschool, kindergarten or first grade students shall not be located above or below the level of exit discharge. Rooms normally occupied by second grade students shall not be located more than one story above the level of exit discharge.

Add the following new section 1100:

1100. Any building or facility which is in compliance with the applicable requirements of ~~661—Chapter 302~~ shall be deemed to be in compliance with any applicable requirements contained in the International Building Code concerning accessibility for persons with disabilities.

Delete chapter 29.

Amend section 3001.2 by adding the following new unnumbered paragraph after the introductory paragraph:

Notwithstanding the references in Chapter 35 to editions of national standards adopted in this section, any editions of these standards adopted by the elevator safety board in ~~875—Chapter 72~~ are hereby adopted by reference. If a standard is adopted by reference in this section and there is no adoption by reference of the same standard in ~~875—Chapter 72~~, the adoption by reference in this section is of the edition identified in Chapter 35.

Amend section 3401.3 by deleting “International Private Sewage Disposal Code” and inserting in lieu thereof “567 Iowa Administrative Code Chapter 69.”

Delete appendices A through K.

Delete all references to the “International Plumbing Code” and insert in lieu thereof “state plumbing code.”

Delete all references to the “ICC Electrical Code” and insert in lieu thereof “National Electrical Code, 2008 edition as amended by rule 661—301.5(103A).”

Delete all references to the “International Fuel Gas Code” and insert in lieu thereof “rule 661—301.9(103A).”

301.3(1)

Hospitals and health care facilities.

a.

A hospital, as defined in rule ~~661—205.1(100)~~, that is required to meet the provisions of the state building code shall be deemed to be in compliance with the fire safety requirements of the state building code if the hospital is in compliance with the provisions of rule ~~661—205.5(100)~~. In any other case in which an applicable requirement of the Life Safety Code, 2000 edition, is inconsistent with an applicable requirement of the state building code, the hospital shall be deemed to be in compliance with the state building code requirement if the Life Safety Code requirement is met.

b.

A nursing facility or hospice, as defined in rule ~~661—205.1(100)~~, that is required to meet the provisions of the state building code shall be deemed to be in compliance with the fire safety requirements of the state building code if the nursing facility or hospice is in compliance with the provisions of rule ~~661—205.10(100)~~. In any other case in which an applicable requirement of the Life Safety Code, 2000 edition, is inconsistent with an applicable requirement of the state building code, the nursing facility or hospice shall be deemed to be in compliance with the state building code requirement if the Life Safety Code requirement is met.

c.

An intermediate care facility for the mentally retarded, as defined in rule ~~661—205.1(100)~~, or intermediate care facility for persons with mental illness that is required to meet the provisions of the state building code shall be deemed to be in compliance with the fire safety requirements of the state building code if the intermediate care facility is in compliance with the provisions of rule ~~661—205.15(100)~~. In any other case in which an applicable requirement of the Life Safety Code, 2000 edition, is inconsistent with an applicable requirement of the state building code, the intermediate care facility shall be deemed to be in compliance with the state building code requirement if the Life Safety Code requirement is met.

d.

An ambulatory health care facility, as defined in rule ~~661—205.1(100)~~, that is required to meet the provisions of the state building code shall be deemed to be in compliance with the fire safety requirements of the state building code if the ambulatory health care facility is in compliance with the provisions of rule ~~661—205.20(100)~~. In any other case in which an applicable requirement of the Life Safety Code, 2000 edition, is inconsistent with an applicable requirement of the state building code, the ambulatory health care facility shall be deemed to be in compliance with the state building code requirement if the Life Safety Code requirement is met.

e.

A religious nonmedical health care institution that is required to meet the provisions of the state building code shall be deemed to be in compliance with the provisions of the state building code if the institution is in compliance with the provisions of rule ~~661—205.25(100)~~. In any other case in which an applicable requirement of the Life Safety Code, 2000 edition, is inconsistent with an applicable requirement of the state building code, the religious nonmedical health care institution shall be deemed to be in compliance with the state building code requirement if the Life Safety Code requirement is met.

ORDINANCE # 6073

AN ORDINANCE to amend Title 13 entitled “Buildings and Construction” of the 2005 Municipal Code of Council Bluffs, Iowa, by repealing Chapter 13.08 entitled “Building Code” in its entirety and enacting a new Chapter 13.08 entitled “Building Code” to be codified.

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:**

SECTION 1. ADOPTION

That Title 13 entitled “Buildings and Construction” of the 2005 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Chapter 13.08 entitled “Building Code”, and amend the International Building Code adoption found in Municipal Code Section 13.08.010 to read as follows:

SECTION 13.08.010 ADOPTION. That a certain document being marked and designated as the International Building Code, 2009 edition, excluding all Appendix Chapters, as published by the International Code Council, including the recognized code Referenced Standards contained in Chapter 35 all as modified or amended in the International Building Code referenced herein; be and the same are adopted as the Building Code of the city of Council Bluffs, Iowa, which is on file and open for inspection by the public in the office of the Building Official, are hereby referred to, adopted, and made a part hereof as if fully set out in this chapter, subject to the revisions, modifications, additions, insertions, changes, and/or deletions in sections that are described in the following sections of this chapter.

This adoption shall make the city of Council Bluffs Building Code coincide with the State of Iowa Building Code as adopted by the State of Iowa Public Safety Department as described in Title 661 of the Iowa Administrative Code in Chapter 301 Section 661-301.3(103A).

SECTION 2. AMENDMENTS.

The Municipal Code Chapter 13.08 shall be as amended to read as follows:

SECTION 13.08.100 Chapter 1 amended – Scope and Administration.

Chapter 1 of the International Building Code shall be repealed and shall be replaced as provided for in Chapter 13.01 of the Municipal Code.

SECTION 13.08.110 IBC Section 308.3.1 amended - Institutional Group I Definitions.

Section 13.08.110 shall amend IBC Section 308.3.(1) to read as follows:

308.3.1 The following words and terms shall, for the purpose of this section and as used elsewhere in this code, have the meanings shown herein.

Child Care Facilities. *This building code regulates the occupancy use for child care. All child care code regulations in this building code shall be ignored and in lieu the regulations of the State Fire Marshal shall be used as adopted by the State of Iowa in the Iowa Administrative Code 661-5.500-3(100). These State of Iowa regulations address those places that care for seven or more children.*

Detoxification Facilities. Facilities that serve patients who are provided treatment for substance abuse on a 24-hour basis and who are incapable of self-preservation or who are harmful to themselves or others.

Hospital. *A hospital shall be as defined in rule 661—205.1(100), that is required to meet the provisions of the state building code shall be deemed to be in compliance with the fire safety requirements of the state building code if the hospital is in compliance with the provisions of rule 661—205.5(100). In any other case in which an applicable requirement of the Life Safety Code, 2000 edition, is inconsistent with an applicable requirement of the state building code, the hospital shall be deemed to be in compliance with the state building code requirement if the Life Safety Code*

requirement is met.

Nursing Facility or Hospice. A nursing facility or hospice shall be as defined in rule 661—205.1(100), that is required to meet the provisions of the state building code shall be deemed to be in compliance with the fire safety requirements of the state building code if the nursing facility or hospice is in compliance with the provisions of rule 661—205.10(100). In any other case in which an applicable requirement of the Life Safety Code, 2000 edition, is inconsistent with an applicable requirement of the state building code, the nursing facility or hospice shall be deemed to be in compliance with the state building code requirement if the Life Safety Code requirement is met.

Intermediate Care Facility for the Mentally Retarded. An intermediate care facility for the mentally retarded shall be as defined in rule 661—205.1(100), or intermediate care facility for persons with mental illness that is required to meet the provisions of the state building code shall be deemed to be in compliance with the fire safety requirements of the state building code if the intermediate care facility is in compliance with the provisions of rule 661—205.15(100). In any other case in which an applicable requirement of the Life Safety Code, 2000 edition, is inconsistent with an applicable requirement of the state building code, the intermediate care facility shall be deemed to be in compliance with the state building code requirement if the Life Safety Code requirement is met.

Ambulatory Health Care Facility. An ambulatory health care facility shall be as defined in rule 661—205.1(100), that is required to meet the provisions of the state building code shall be deemed to be in compliance with the fire safety requirements of the state building code if the ambulatory health care facility is in compliance with the provisions of rule 661—205.20(100). In any other case in which an applicable requirement of the Life Safety Code, 2000 edition, is inconsistent with an applicable requirement of the state building code, the ambulatory health care facility shall be deemed to be in compliance with the state building code requirement if the Life Safety Code requirement is met.

Religious Nonmedical Health Care Institution. A religious nonmedical health care institution shall be as required to meet the provisions of the state building code shall be deemed to be in compliance with the provisions of the state building code if the institution is in compliance with the provisions of rule 661—205.25(100). In any other case in which an applicable requirement of the Life Safety Code, 2000 edition, is inconsistent with an applicable requirement of the state building code, the religious nonmedical health care institution shall be deemed to be in compliance with the state building code requirement if the Life Safety Code requirement is met.

SECTION 13.08.120 Section 906.1 amended – Portable Fire Extinguishers – Where Required.

Section 906.1 shall be deleted and replace in lieu thereof the following new section:

906.1 - Where required. Portable fire extinguishers shall be installed in the following locations:

In new and existing Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.

1. Within 30 feet (9144 mm) of commercial cooking equipment.
2. In areas where flammable or combustible liquids are stored, used or dispensed.
3. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 1415.1 of the International Fire Code.
4. Where required by the sections indicated in Table 906.1.
5. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the fire code official.

SECTION 13.08.130 Section 907.2.2 amended – Fire Alarm and Detection Systems – Group B.

Section 907.2.2 shall be deleted and replaced in lieu thereof the following new section:

907.2.2 - Group B. A manual fire alarm system shall be installed in Group B occupancies where one of the following conditions exists:

1. The combined Group B occupant load of all floors is 500 or more.
2. The Group B occupant load is more than 100 persons above or below the lowest level of exit discharge.
3. The Group B fire area contains a Group B ambulatory health care facility.

4. The Group B fire area contains an educational occupancy for students above the twelfth grade with an occupant load of 50 or more persons.

Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

SECTION 13.08.140 Section 907.2.3 amended – Fire Alarm and Detection Systems – Group E. Section 907.2.3 shall be deleted and replaced in lieu thereof the following new section:

907.2.3 - Group E. In the absence of a complete automatic sprinkler system, a complete automatic detection system shall be installed throughout the entire Group E occupancy. A Group E occupancy with a complete automatic sprinkler system shall be provided with a fire alarm system with a minimum of corridor smoke detection, at a maximum spacing of 30 feet on center, and heat or smoke detection in any hazardous or non-occupied areas. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

Exceptions:

1. Group E occupancies with an occupant load of less than 50.
2. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:
 - 2.1. Interior corridors are protected by smoke detectors with alarm verification.
 - 2.2. Auditoriums, cafeterias, gymnasiums and the like are protected by heat detectors or other approved detection devices.
 - 2.3. Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved detection devices.
 - 2.4. Off-premises monitoring is provided.
 - 2.5. The capability to activate the evacuation signal from a central point is provided.
 - 2.6. In buildings where normally occupied spaces are provided with a two-way communication system between such spaces and a constantly attended receiving station from which a general evacuation alarm can be sounded, except in locations specifically designated by the fire code official.
3. Manual fire alarm boxes shall not be required in Group E occupancies where the building is equipped throughout with an approved automatic sprinkler system, the notification appliances will activate on sprinkler water flow and manual activation is provided from a normally occupied location.

SECTION 13.08.150 Section 1003.8 added – Means of Egress – Location of Preschool through Second Grade Students.

Section 1003.8 shall be added to read as follows:

1003.8 - Location of Preschool through Second Grade Students. In Group E occupancies, rooms normally occupied by preschool, kindergarten or first grade students shall not be located above or below the level of exit discharge. Rooms normally occupied by second grade students shall not be located more than one story above the level of exit discharge.

SECTION 13.08.160 Section 1101.3 added – Accessibility Applicable.

Section 1101.3 shall be added to read as follows:

1101.3 – Accessibility Applicable. Any building or facility which is in compliance with the applicable requirements of 661—Chapter 302 shall be deemed to be in compliance with any applicable requirements contained in the International Building Code concerning accessibility for persons with disabilities.

SECTION 13.08.170 Section 1301.1.1 amended – Energy Efficiency Criteria.

Section 1301.1.1 shall be amended to read as follows:

1301.1.1 – Energy Efficiency Criteria. Buildings shall be designed and constructed in accordance

with the Energy Conservation Code as adopted and amended by the State of Iowa in IAC 661-Chapter 303(103A). Also, any other references in this Code to the International Energy Conservation Code shall be amended to be in accordance with the Energy Code as adopted and amended by the State of Iowa.

SECTION 13.08.180 Section 1601.2 added – Structural Design.

Section 16.01.2 shall be added to read as follows:

1601.2 – Structural Design. The Climatic and Geographic Design Criteria for building construction in Council Bluffs shall be as outlined in Section 13.01.211 of the Municipal Code.

SECTION 13.08.190 Section 1805.2 amended - Depth of footings.

Section 1805.2 shall be amended to read as follows:

1805.2 – Depth of footings. The minimum depth of footings, foundation walls, piers and other permanent supports of buildings or structures below the undisturbed ground surface shall be a minimum of 42 inches. Where applicable, the depth of footing shall also conform to Sections 1805.2.1 through 1805.2.3. A continuous frost protected foundation shall be constructed when supporting a heated building and/or habitable area. If spread footings are used they shall be of adequate size and be provided where necessary to properly distribute the load within the allowable load-bearing value of the soil. Alternatively, such structure shall be supported on piles where solid earth or rock is not available. Footings shall not bear on frozen soils. An Occupancy Group U one story structure that is heated or unheated and is 576 square feet or less may have the minimum depth of the continuous footing for the foundation and slab twelve inches (12") below finish grade where the footing, foundation, and floor are one integral unit (floating slab).

SECTION 13.08.200 Chapter 29 deleted – Plumbing Systems.

Chapter 29 shall be deleted in its entirety and insert in lieu thereof: "see IAC 641-25.4(135)".

SECTION 13.08.210 Section 3001.2.1 added – Elevator Standards.

Section 3001.2.1 shall be added to read as follows:

3001.2.1 – Elevator Standards. *Notwithstanding the references in Chapter 35 to editions of national standards adopted in this section, any editions of these standards adopted by the elevator safety board in 875—Chapter 72 are hereby adopted by reference. If a standard is adopted by reference in this section and there is no adoption by reference of the same standard in 875—Chapter 72, the adoption by reference in this section is of the edition identified in Chapter 35.*

SECTION 13.08.220 Chapter 35 amended—Referenced standards.

IBC Chapter 35 shall be amended in part by amending only these references as follows:

IECC – International Energy Conservation Code shall be amended to be the Energy Code as adopted in Chapter 13.20 of the Municipal Code.

IPC – International Plumbing Code shall be amended to be the Plumbing Code as adopted in Chapter 13.12 of the Municipal Code.

ICC Electrical Code – International Electrical Code shall be amended to be the Electrical Code as adopted in Chapter 13.16 of the Municipal Code.

IPSDC – International Private Sewage Disposal Code shall be amended to be the Private Sewage Disposal Code as adopted in Iowa Administrative Code 567 Chapter 69".

IFGC – International Fuel Gas Code shall be amended to be the Fuel Gas Code as adopted in Chapter 13.26 of the Municipal Code.

IMC – International Mechanical Code shall be amended to be the Mechanical Code as adopted in Chapter 13.09 of the Municipal Code.

SECTION 3. REPEALER.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE.

If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 5. EFFECTIVE DATE.

This ordinance shall be in full force and effect from and after its final passage and publication (- - 2010) as by law provided.

PASSED

AND

APPROVED: _____, 2010

Thomas P. Hanafan, Mayor

Attest: _____
Marcia L. Worden, City Clerk

First Consideration: April 12, 2010
Public Hearing: April 26, 2010
Second Consideration: April 26, 2010
Third Consideration:

Council Communication

Department: Public Works Division: Building Case/Project No. Applicant: Dan Woellhof	Ordinance No. <u>6074</u>	First Reading 04/12/10 Second Reading 04/26/10 Third Reading 05/10/10
Subject/Title		
An ordinance to amend Title 13 "Buildings and Construction" of the 2005 Municipal Code of Council Bluffs, Iowa, by adding thereto a new Chapter 13.35 "Radon Reduction System Provisions", to provide guidelines for radon reduction systems in any new construction of single-family, two-family, and multiple-family housing units in Council Bluffs, Iowa.		
Background/Discussion		
<p>The proposed text in this proposed chapter originated from the International Residential Code Appendix F which was not part of the IRC adoption ordinance.</p> <p>Radon is a radioactive gas that is colorless and odorless. It originated in the soil from the natural decay of uranium that exists in or below most soils. Radon is the second leading cause of lung cancer in the United States with approximately 21,000 radon caused deaths per year nationally. The state of Iowa has the highest percentage of homes above the risky level.</p> <p>The radon mitigation of a new residence is the installation of a layer of permeable material and a polyethylene sheet below the basement floor slab, a PVC pipe extending from a hole in the basement floor through the roof, and a fan that supplies suction.</p> <p>Radon mitigation programs have been presented at a Council Bluffs Building Trades Association membership meeting and at their Home Show.</p> <p>This chapter is a guideline only.</p>		
Amendments		
This is a new chapter in the Municipal Code.		
Recommendation		
The Health Director, the Public Works Director and the Building Official recommend that the City Council favorably consider this proposed ordinance and pass it into law.		

Public Works Director

ORDINANCE NO. 6074

AN ORDINANCE to amend Title 13 “Buildings and Construction” of the 2005 Municipal Code of Council Bluffs, Iowa, by adding thereto a new Chapter 13.35 entitled “Radon Reduction System Provisions”, to provide guidelines for radon reduction systems in any new construction of single-family, two-family, and multiple-family housing units in Council Bluffs, Iowa, to be codified.

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:**

SECTION 1. That Title 13 “Buildings and Construction” of the 2005 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by adding thereto a new Chapter 13.35, entitled “Radon Reduction System Provisions”, to read as follows:

**CHAPTER 13.35
RADON REDUCTION SYSTEM PROVISIONS**

- Sections:**
- 13.35.010 Title of Chapter
 - 13.35.020 General
 - 13.35.030 Definitions.
 - 13.35.040 Scope.
 - 13.35.050 Sub-floor preparation.
 - 13.35.060 Soil-gas-retarder.
 - 13.35.070 Entry routes.
 - 13.35.080 Passive sub-membrane depressurization system.
 - 13.35.090 Passive sub-slab depressurization system.
 - 13.35.100 Vent pipe drainage.
 - 13.35.110 Vent pipe accessibility.
 - 13.35.120 Vent pipe identification.
 - 13.35.130 Combination foundations.
 - 13.35.140 Building depressurization.
 - 13.35.150 Power source.

13.35.010 Title of Chapter. The provisions of this chapter shall be known as the “Radon Reduction System Provisions” for the City of Council Bluffs, Iowa.

13.35.020 General. The provisions of this chapter apply as only guidelines for any new construction of single-family, two-family, and multiple-family housing units in Council Bluffs. Radon is the second leading cause of lung cancer in the United States. Pottawattamie County is rated as a Zone 1 which means that Council Bluffs is in an extensive area that has the highest percentage of homes above 4 picocuries per liter which is the recommended action level as set by the U.S. Environmental Protection Agency.

Therefore, it is recommended that these guidelines be implemented when constructing any new residential construction in Council Bluffs.

An existing residential basement can be tested to find the radon levels. If the radon test levels are high, then the owner may choose to retrofit the residence. However, there will probably not be a permeable material layer and a polyethylene sheet below the entire basement sub floor. Therefore, the retrofit will not be as efficient.

13.35.030 Definitions. For the purpose of these provisions, the terms used herein to be defined as follows:

- 1) **Subslab depressurization system (Passive).** A system designed to achieve lower sub-slab air pressure relative to indoor air pressure by use of a vent pipe routed through the conditioned space of a building and connecting the sub-slab area with outdoor air, thereby relying on the convective flow of air upward in the vent to draw air from beneath the slab.
- 2) **Subslab depressurization system (Active).** A system designed to achieve lower sub-slab air pressure relative to indoor air pressure by use of a fan-powered vent drawing air from beneath the slab.
- 3) **Drain tile loop.** A continuous length of drain tile or perforated pipe extending around all or part of the internal or external perimeter of a basement or crawl space footing.
- 4) **Radon gas.** A naturally-occurring, chemically inert, radioactive gas that is not detectable by human senses. As a gas, it can move readily through particles of soil and rock and can accumulate under the slabs and foundations of homes where it can easily enter into the living space through construction cracks and openings.
- 5) **Soil-gas-retarder.** A continuous membrane of 6-mil (0.15 mm) polyethylene or other equivalent material used to retard the flow of soil gases into a building.
- 6) **Sub-membrane depressurization system.** A system designed to achieve lower-sub-membrane air pressure relative to crawl space air pressure by use of a vent drawing air from beneath the soil-gas-retarder membrane.

13.35.040 Scope. The following construction techniques are intended to resist radon entry and/or prepare the building for post construction radon mitigation.

13.35.050 Sub-floor preparation. A layer of gas-permeable material to be placed under all concrete slabs and other floor systems that directly contact the ground and are within the walls of the living spaces of the building, to facilitate future installation of a sub-slab depressurization system. The gas-permeable layer to consist of one of the following:

- a) A uniform layer of clean aggregate, a minimum of four inches (102 mm) thick. The aggregate to consist of material that will pass through a 2-inch (51 mm) sieve and be retained by a ¼ - inch (6.4mm) sieve.
- b) A uniform layer of sand (native or fill), a minimum of four inches (102 mm) thick, overlain by a layer of strips of geotextile drainage matting designed to allow the lateral flow of soil gases.
- c) Other materials, systems or floor designs with demonstrated capability to permit depressurization across the entire sub-floor area.

13.35.060 Soil-gas-retarder. A minimum 6-mil (0.5 mm) [or 3-mil (0.075 mm) cross-laminated] polyethylene or equivalent flexible sheeting material to be placed on top of the gas-permeable layer prior to casting the slab or placing the floor assembly to serve as a soil-gas-retarder by bridging any cracks that develop in the slab or floor assembly and to prevent concrete

from entering the void spaces in the aggregate base material. The sheeting to cover the entire floor area with separate sections of sheeting lapped at least 12 inches (305 mm). The sheeting to fit closely around any pipe, wire or other penetrations of the material. All punctures or tears in the material to be sealed or covered with additional sheeting.

13.35.070 Entry routes. Potential radon entry routes to be closed in accordance with subsections a-j as follows:

a) Floor openings. Openings around bathtubs, showers, water closets, pipes, wires or other objects that penetrate concrete slabs or other floor assemblies to be filled with a polyurethane caulk or equivalent sealant applied in accordance with the manufacturer's recommendations.

b) Concrete joints. All control joints, isolation joints, construction joints and any other joints in concrete slabs or between slabs and foundation walls to be sealed with a caulk or sealant. Gaps and joints to be cleared of loose material and filled with polyurethane caulk or other elastometric sealant applied in accordance with the manufacturer's recommendations.

c) Condensate drains. Condensate drains to be trapped or routed through non-perforated pipe to daylight.

d) Sumps. Sump pits open to soil or serving as the termination point for sub-slab or exterior drain tile loops to be covered with a gasketed or otherwise sealed lid. Sumps used as the suction point in a sub-slab depressurization system to have a lid designed to accommodate the vent pipe. Sumps used as a floor drain to have a lid equipped with a trapped inlet.

e) Foundation walls. Hollow block masonry foundation walls to be constructed with either a continuous course of solid masonry, one course of masonry grouted solid, or a solid concrete beam at or above finished ground surface to prevent passage of air from the interior of the wall into the living space. Where a brick veneer or other masonry ledge is installed, the course immediately below that ledge to be sealed. Joints, cracks or other openings around all penetrations of both exterior and interior surfaces of masonry block or wood foundations walls below the ground surface to be filled with polyurethane caulk or equivalent sealant. Penetrations of concrete walls to be filled.

f) Damp-proofing. The exterior surfaces of portions of concrete and masonry block walls below the ground surface to be damp-proofed in accordance with Section R406 of the International Residential Code.

g) Air-handling units. Air-handling units in crawl spaces to be sealed to prevent air from being drawn into the unit.

Exception: Units with gasketed seams or units that are otherwise sealed by the manufacturer to prevent leakage.

h) Ducts. Ductwork passing through or beneath a slab to be of seamless material unless the air-handling system is designed to maintain continuous positive pressure within such ducting. Joints in such ductwork to be sealed to prevent air leakage. Ductwork located in crawl spaces to have all seams and joints sealed by closure systems in accordance with the mechanical code.

i) Crawl space floors. Openings around all penetrations through floors above crawl spaces to be caulked or otherwise filled to prevent air leakage.

j) Crawl space access. Access doors and other openings or penetrations between basements and adjoining crawl spaces to be closed, gasketed or otherwise filled to prevent air leakage.

13.35.080 Passive sub-membrane depressurization system. In buildings with crawl space foundations, the following components of a passive sub-membrane depressurization system to be installed during construction:

Exception: Building in which an approved mechanical crawl space ventilation system or other equivalent system is installed.

a) Ventilation. Crawl spaces to be provided with vents to the exterior of the building. The minimum net area of ventilation opens to comply with the International Residential Code.

b) Soil-gas-retarder. The soil in crawl spaces to be covered with a continuous layer of minimum 6-mil (0.15 mm) polyethylene soil-gas-retarder. The ground cover to be lapped a minimum of 12 inches (305 mm) at joints and to extend to all foundation walls enclosing the crawl space area.

c) Reduction Vent pipe. A plumbing tee or other approved connection to be inserted horizontally beneath the sheeting and connected to a 3 or 4 inch diameter (76 mm or 102 mm) fitting with a vertical vent pipe installed through the sheeting. The vent pipe to be extended up through the building floor, terminate at least 12 inches (305 mm) above the roof in a location at least 10 feet (3048 mm) away from any window or other opening into the conditioned spaces of the building that is less than 2 feet (610 mm) below the exhaust point, and 10 feet (3048 mm) from any window or other opening in adjoining or adjacent buildings.

13.35.090 Passive sub-slab depressurization system. In basement or slab-on-grade buildings, the following components of a passive sub-slab depressurization system to be installed during construction:

a) Vent pipe. A minimum 3-inch-diameter (76 mm) ABS, PVC or equivalent gas-tight pipe to be embedded vertically into the sub-slab aggregate or other permeable material before the slab is cast. A "T" fitting or equivalent method to be used to ensure that the pipe opening remains within the sub-slab permeable material. Alternatively, the 3-inch (76 mm) pipe to be inserted directly into an interior perimeter drain tile loop or through a sealed sump cover where the sump is exposed to the sub-slab aggregate or connected to it through a drainage system.

The reduction pipe to be extended up through the building floors, terminate at least 12 inches (305 mm) above the surface of the roof in a location at least 10 feet (3048 mm) away from any window or other opening into the conditioned spaces of the building that is less than 2 feet (610 mm) below the exhaust point, and 10 feet (3048 mm) from any window or other opening in adjoining or adjacent buildings. If the reduction pipe is decided not to be installed at the time of new construction, then a preparation pipe can be extended up through the building floors, terminate at least 2 inches (305 mm) above the surface of the lowest floor, and capped.

b) Multiple vent pipes. In buildings where interior footings or other barriers separate the sub-slab aggregate or other gas-permeable material, each area to be fitted with an individual vent pipe. Vent preparation pipes to be capable to connect to a single vent that terminates above the roof or each individual vent pipe to be capable to terminate separately above the roof. Vent reduction pipes to connect to a single vent that terminates above the roof or each individual vent pipe to terminate separately above the roof.

13.35.100 Vent pipe drainage. All components of the radon vent pipe system to be installed to provide positive drainage to the ground beneath the slab or soil-gas-retarder.

13.35.110 Vent pipe accessibility. Radon vent pipes to be accessible for future fan installation through an attic or other area outside the habitable space.

Exception: The radon vent pipe need not be accessible in an attic space where an approved roof-top electrical supply is provided for future use.

13.35.120 Vent pipe identification. All exposed and visible interior radon vent pipes to be identified with at least one label on each floor level and in accessible attics. The label to read, in minimum one inch (1") letters: "Radon Reduction System."

13.35.130 Combination foundations. Combination basement/crawl space or slab-on-grade/crawl space foundations to have separate radon vent pipes installed in each type of foundation area. Each preparation radon vent pipe to be capable to terminate above the roof or to be capable to connected to a single vent that terminates above the roof. Each reduction radon vent pipe to terminate above the roof or to be connected to a single vent that terminates above the roof. This pipe termination to be such that it prevents rain and animals from entry.

13.35.140 Building depressurization. Joints in air ducts and plenums in unconditioned spaces to meet the requirements of the International Residential Code. Thermal envelope air infiltration requirements are to comply with the energy conservation provisions in the International Residential Code. Firestopping is to comply the requirements contained in the International Residential Code.

15.35.150 Power source. To provide for future installation of an active sub-membrane or sub-slab depressurization system, an electrical circuit terminated in an approved box to be installed during construction in the attic or other anticipated location of vent pipe fans. Also, an electrical supply to be accessible in anticipated locations of system failure alarms.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage, approval and publication, as by law provided.

PASSED
AND
APPROVED _____, 2010

Thomas P. Hanafan, Mayor

Attest:

Marcia L. Worden, City Clerk

First Consideration: April 12, 2010
Second Consideration: April 26, 2010
Third Consideration:

Council Communication

Department: Fire	Ordinance No.	First Reading: <u>4/12/2010</u>
Case/Project No.	Resolution No. <u>6075</u>	Second Reading: <u>4/26/2010</u>
Applicant: Alan R. Byers		Third Reading: _____

Subject/Title

An ordinance amending Title 12 "Council Bluffs Fire Code" of the 2009 Municipal Code of Council Bluffs, Iowa, by repealing Chapter 12.01 "International Fire Code" and enacting a new Chapter 12.01 "International Fire Code", to be adopted with amendments.

Background/Discussion

The Council Bluffs Fire Code currently utilized by the City and Fire Department is the 2000 version of the International Fire Code. This ordinance would enact the 2009 version of the International Fire Code, with amendments, and the associated National Fire Protection Association standards and pamphlets.

Following is an explanation by Fire Marshal Larry Wohlers of the requested amendment to or deletions of portions of the 2009 IFC. He and I will be available to further explain the requested actions or other questions as the ordinance moves through the process.

Section 104 amended:

Identical amendment from 2000 IFC adoption giving general authority and powers to investigate.

Section 105.6.4 delete:

Identical amendment from 2000 IFC adoption dealing with operational permits to conduct a carnival or fair.

Section 108.1 amended:

Identical amendment from 2000 IFC adoption dealing with Board of Appeals.

Section 109.3 amended:

Identical amendment from 2000 IFC adoption dealing with Violation Penalties.

Section 111.4 amended:

Identical amendment from 2000 IFC adoption dealing with Failure to Comply (dollar amounts were changed to match current fee schedule).

Section 307.1-307.5 deleted and reenacted as 307.1 as new:

Identical amendment from 2000 IFC adoption dealing with open burning

Section 310 deleted:

Identical amendment from the 2000 IFC adoption dealing with smoking.

Section 318 added:

Identical amendment from the 2000 IFC adoption dealing with Standby Personnel.

Section 507.5.1 amended:

Identical amendment from the 2000 IFC adoption dealing with hydrant spacing.

Section 903.2.1.2 amended:

The same amendment from the 2000 IFC adoption dealing with square footage for A2 Assembly except that the amendment includes a change that occurred in the 2006 edition where the occupancy load required for installation of automatic sprinklers went from 300 person to 100 person occupancy load.

Section 906.1 amended:

New amendment requested to follow the State of Iowa's adopted amendment concerning fire extinguishers in a sprinklered building; the purpose is to mimic the States 2009 code verbiage that requires fire extinguishers in schools with sprinkler systems.

Section 907.1.4 added:

A new addition to the 2009 edition of the IFC concerning clarification of the placement of an exterior fire alarm strobe light.

Section 907.2.2 Group B Amended:

A new addition to the 2009 edition of the IFC to follow the State of Iowa's adopted language; requires manual fire alarm system for occupant load of 50 or more for education occupancy.

Section 907.2.3 Group E Amended:

New addition to the 2009 edition of the IFC; the purpose is to mimic the States 2009 code verbiage regarding off premises monitoring for alarm system.

Section 1003.8 added:

New addition to the 2009 edition of the IFC; the purpose is to mimic the States 2009 code verbiage regarding location of preschool through 2nd grade students in Group E occupancies.

Section 2204.3 amended:

Identical amendment from the 2000 IFC adoption dealing with unattended self service motor fuel dispensing facilities.

Section 2206.2.3 amended:

Identical amendment from the 2000 IFC adoption dealing with underground fuel storage.

Section 3301.1.3:

Identical amendment from the 2000 IFC adoption dealing with fireworks.

Section 3302 amended:

Identical amendment from the 2000 IFC adoption dealing with definition of fireworks.

Section 3303 deleted:

Identical amendment from the 2000 IFC adoption dealing with records of explosive materials.

Section 3304 deleted:

Identical amendment from the 2000 IFC adoption dealing with explosive materials storage.

Section 3305 deleted:

Identical amendment from the 2000 IFC adoption dealing with manufacture, assembly and testing of explosive materials.

Section 3307 deleted:

Identical amendment from the 2000 IFC adoption dealing with blasting.

NFPA standard adoption:

This action will adopt the latest versions of the listed NFPA codes and standards.

NFPA 101 amended:

Identical amendment from the 2000 code adoption concerning Life Safety Code 101 which deletes Chapter 24 dealing with single family homes.

This adoption of the 2009 International Fire Code will place the City, County and State in the same versions of the code, eliminating problems and confusion with the application of different and sometimes conflicting versions of the International Fire Code.

Recommendation

It is staff recommendation that the attached ordinance be approved by the City Council.

Department Head Signature

Mayor Signature

ORDINANCE NO. 6075

AN ORDINANCE amending Title 12 “Council Bluffs Fire Code” of the 2009 Municipal Code of Council Bluffs, Iowa, by repealing Chapter 12.01 “International Fire Code” and enacting a new Chapter 12.01 “International Fire Code” to be adopted with amendments.

BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:

SECTION 1. That Title 12 “International Fire Code” of the 2009 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by repealing Chapter 12.01 “International Fire Code” in its entirety.

SECTION 2. That Title 12 “International Fire Code” of the 2009 Municipal Code of Council Bluffs, be and the same is hereby amended by enacting a new Chapter 12.01, entitled “International Fire Code”, to read as follows:

CHAPTER 12.01 INTERNATIONAL FIRE CODE

Sections: 12.01.010 Adoption of International Fire Code, 2009 edition.
 12.01.020 Adoption of Appendix Chapters B,C,D,E,F,G,H, I and J.
 12.01.030 Section 104 amended.
 12.01.040 Section 105.6.4 deleted..
 12.01.050 Section 108.1 amended.
 12.01.060 Section 109.3 amended.
 12.01.070 Section 111.4 amended.
 12.01.080 Sections 307.1-307.5 deleted. Section 307.1 reenacted.
 12.01.090 Section 310 deleted.
 12.01.100 Section 318 added.
 12.01.110 Section 507.5.1 amended.
 12.01.120 Section 903.2.1.2 amended.
 12.01.130 Section 906.1 amended
 12.01.140 Section 907.1.4 added.
 12.01.150 Section 907.2.2 Group B amended
 12.01.160 Section 907.2.3 Group E amended
 12.01.170 Section 1003.8 added
 12.01.180 Section 2204.3 amended.
 12.01.190 Section 2206.2.3 amended.
 12.01.200 Section 3301.1.3 amended.
 12.01.210 Section 3302 amended.
 12.01.220 Section 3303 deleted.
 12.01.230 Section 3304 deleted.
 12.01.240 Section 3305 deleted.

- 12.01.250 Section 3307 deleted.
- 12.01.260 NFPA Pamphlets adopted with amendments.
- 12.01.270 NFPA 101 amended

12.01.010 Adoption of International Fire Code, 2009 Edition. The 2009 Edition of the International Fire Code, as published by the International Code Council, and on file in the office of the City Clerk of the City of Council Bluffs, Iowa, be and the same is hereby adopted as the Fire Code of the City of Council Bluffs, for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Council Bluffs, and providing for the issuance of permits for hazardous uses or operations. Each and all of the regulations, provisions, conditions and terms of the International Fire Code, 2009 edition, are hereby referred to, adopted and made apart hereof as if fully set out in this ordinance.

12.01.020 Adoption of Appendix Chapters B,C,D,E,F,G,H,I and J. The following appendix chapters of the 2009 edition of the International Fire Code are hereby adopted and made a part hereof as if fully set out in this ordinance:

- 1) Appendix B – Fire Flow Requirements for Buildings.
- 2) Appendix C – Fire Hydrant Locations and Distribution.
- 3) Appendix D – Fire Apparatus Access Roads. Add to 103.3.1 minimum turning radius 45’
- 4) Appendix E – Hazard Categories.
- 5) Appendix F – Hazard Ranking.
- 6) Appendix G – Cryogenic Fluids – Weight and Volume Equivalents.
- 7) Appendix H – Hazardous Materials Management Plan.
- 8) Appendix I – Fire Protection Systems Noncompliant Conditions.
- 9) Appendix J – Emergency Responder Radio coverage.

12.01.030 Section 104 amended. Section 104 of the 2009 edition of the International Fire Code is amended by adding the following subsections:

- 104.1.1 The code official and members of fire prevention shall have the powers of a peace officer in performing their duties.
- 104.1.2 The Fire Chief may appoint and designate such members of the Fire Department as fire/police investigators upon being certified by The Iowa Law Enforcement Academy. Fire/police investigators shall have the powers of a peace officer in performing their duties under this Code, including full powers of arrest to effectuate their duties of enforcing city ordinances and state statutes. Notwithstanding his/her status as a peace officer, a fire/police investigator shall be subject to the rules and regulations of the Council Bluffs Fire Department for all purposes and shall perform such functions as the Fire Chief shall assign.

104.10.2 When requested to do so by the code official, the Chief of Police is authorized to assign such available police officers as necessary to assist the Fire Department in enforcing the provisions of this code.

12.01.040 Section 105.6.4 deleted. Section 105.6.4 of the 2009 edition of the International Fire Code is hereby deleted in its entirety.

12.01.050 Section 108.1 amended. Section 108.1 of the 2009 edition of the International Fire Code is hereby repealed in its entirety, and a new Section 108.1 is enacted to read as follows:

108.1 Board of Appeals Established. In order to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this code, the board of appeals shall render decisions upon pertinent matters. The Fire Chief shall be an ex-officio member of said board. The board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Fire Chief with a duplicate copy to the appellant, and may recommend to the City Council such new legislation as is consistent therewith. The board of appeals referred to herein is the board of appeals created by the International Building Code as adopted by the City of Council Bluffs, Iowa.

12.01.060 Section 109.3 amended. Section 109.3 of the 2009 edition of the International Fire Code is hereby amended to read as follows:

109.3 Violation Penalties. Persons found guilty of violating any provision of this code or who fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the code official, or of a permit or certificated used under provisions of this code, shall, upon conviction, be subject to the penalty provisions of Section 8.02.020 of this code. Each day that a violation is allowed to continue shall constitute a separate and distinct violation. At the discretion of the city attorney, any violation of the provisions of this chapter may be pursued as a municipal infraction according to the terms of Chapter 1.95 in lieu of criminal prosecution.

12.01.070 Section 111.4 amended. Section 111.4 of the 2009 International Fire Code is hereby amended to read as follows:

111.4 Failure to comply. Any person who shall continue work after having been served with a stop work order, except work as that person is directed to perform to remove a violation of unsafe condition, shall be liable to a fine of not less than fifty dollars or more than five hundred dollars.

12.01.080 Sections 307.1-307.5 deleted. Section 307.1 reenacted. Sections 307.1-307.5 of the 2009 edition of the International Fire Code are hereby deleted in their entirety. Section 307.1 is reenacted to read as follows:

307.1 Open burning prohibited.

Exceptions:

1. Training fires. Fires set for the purpose of bona fide instruction and training of public, institutional, or industrial employees in the methods of fire fighting.
2. Flare stacks. Open burning or flaring of waste gas may be permitted.
3. Open burning shall be permitted as set forth in Section 4.02.020 of the Council Bluffs Municipal Code.

12.01.090 Section 310 deleted. Section 310 “Smoking” of the 2009 International Fire Code is hereby deleted in its entirety.

12.01.100 Section 318 added. The 2009 edition of the International Fire Code is hereby amended by adding the following new Section:

318 Standby Personnel. When, in the opinion of the Fire Chief, it is essential for public safety in a place of assembly or any other place where people congregate, due to the number of persons, or the nature of the performance, exhibition, display, contrast or activity, the owner, agent or lessee shall employ one or more qualified persons, as required and approved, to be on duty at such place. Such individuals shall be subject to the Fire Chief’s orders at all times when so employed and shall be in uniform and remain on duty during the times such places are open to the public, or when such activity is being conducted. Before each performance or the start of such activity, such individuals shall inspect the required fire appliances provided to see that they are in proper place and in good working order, and shall keep diligent watch for fires during the time such place is open to the public or such activity is being conducted and take prompt measures for extinguishment of fires that may occur. Such individuals shall not be required, while on duty, to perform any other duties than those herein specified.

12.01.110 Section 507.5.1 amended. Section 507.5.1 of the 2009 Edition of the International Fire Code is amended to read as follows:

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 300 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by code official.

12.01.120 Section 903.2.1.2 amended. Section 903.2.1.2 of the 2009 edition of the International Fire Code is hereby amended to read as follows:

- 903.2.1.2 Group A-2. An automatic fire sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists:
1. The fire area exceeds 4,500 square feet;
 2. The fire area has an occupant load of 100 or more; or
 3. The fire area is located on a floor other than the level of exit discharge, serving such occupancies.

12.01.130 Section 906.1 Amended.

Delete exception to Item I

12.01.140 Section 907.1.4 Added.

- 907.1.4 In all alarm system installation, there shall be installed an outside strobe at the door nearest the remote annunciator panel.

12.01.150 Section 907.2.2 Group B Amended.

Section 907.2.2 of the 2009 Edition of the International Fire Code is hereby amended by adding the following:

4. The Group B size area contains an educational occupancy for students above the twelfth grade with an occupant load of 50 or more persons.

12.01.160 Section 907.2.3 Group E Amended.

Section 907.2.3 of the 2009 Edition of the International Fire Code is hereby amended by adding the following:

- 907.2.3 Group E. In the absence of a complete automatic sprinkler system a complete automatic detection system shall be installed throughout the entire Group E occupancy. A Group E occupancy with a complete automatic sprinkler system shall be provided with a fire alarm system with a minimum of corridor smoke detection, at a maximum spacing of 30 feet on center, and heat or smoke detection in any hazardous or non-occupied areas. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

Exceptions:

1. Group E occupancies with an occupant load of less than 50.
2. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply.
 - 2.1 Interior corridors are protected by smoke detectors with alarm verification.
 - 2.2 Auditorium, cafeterias, gymnasiums and the like are protected by heat detectors or other approved detection devices.

- 2.3 Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved detection devices.
- 2.4 Off premises monitoring is provided.
- 2.5 The capability to activate the evacuation signal from a central point is provided.
- 2.6 In buildings where normally occupied spaces are provided with a two-way communication system between such spaces and a constantly attended receiving station from where a general evacuation alarm can be sounded, except in locations specifically designated by the fire code official.
- 3. Manual fire alarm boxes shall not be required in Group E occupancies where the building is equipped throughout with an approved automatic sprinkler system, the notification appliances will activate on sprinkler water flow and manual activation is provided from a normally occupied location.

12.01.170 Section 1003.8 Added.

12.01.170 Section 1003.8 of the 2009 Edition of the International Fire Code is hereby amended by adding the following:

- 1003.8 Location of Preschool through 2nd grade students in Group E occupancies. Rooms normally occupied by preschool, kindergarten or first grade students shall not be located above or below the level of exit discharge. Rooms normally occupied by second grade students shall not be located more than one story above the level of exit discharge.

12.01.180 Section 2204.3 amended. Section 2204.3 of the 2009 edition of the International Fire Code is hereby amended by adding the following new section, to read as follows:

- 2204.3 Unattended self service motor fuel dispensing facilities shall comply with Sections 2204.3.1 through 2204.3.7 as well as the following:
- 1. At each self service motor fuel dispensing station, a fixed fire extinguishing system shall be installed which is suitable for extinguishing flammable liquid fires, which system shall utilize an approved extinguishing agent and be capable of covering the entire Class I liquid dispensing area. Said system shall be capable of being activated either manually or automatically; however, if said system is to be activated manually, the triggering or activating device shall be capable of being activated or triggered from a location not more than one hundred (100) feet from the dispensers.
 - 2. A functional method of communication with the fire department shall be located not more than one hundred (100) feet from the self-service motor fuel dispensing stations.
 - 3. The operational method of the dispensers at self service motor fuel dispensing stations shall be conspicuously posted on either the dispenser or the dispenser island.

4. On each and every dispensing island in self service motor fuel dispensing stations, the following words of warning shall be conspicuously posted:
 - (A) WARNING – IT IS UNLAWFUL TO DISPENSE FLAMMABLE LIQUIDS INTO PROTABLE CONTAINERS UNLESS THE CONTAINER IS OF THE APPROVED TYPE.
 - (B) NO SMOKING.
 - (C) Stop motor.Such signs shall be considered directional signs with compliance mandatory.

12.01.190 Section 2206.2.3 amended. Section 2206.2.3 of the 2009 edition of the International Fire Code is hereby amended to read as follows:

- 2206.2.3 General Class I and Class II liquids shall be stored in tanks located underground in motor vehicle fuel dispensing stations.
Exception: This provision shall not prohibit the dispensing system supplied by an aboveground tank, not to exceed 6,000 gallons, located at commercial, industrial, governmental or manufacturing establishments and intended for fueling vehicles used in connection with their business. Such dispensing may be permitted, provided:
- a. An inspection of the premises and operations has been made and approval granted by the authority having jurisdiction.
 - b. The dispensing is done on premises not open to the public.
 - c. The tank is safeguarded against collision, spillage, and overfill to the satisfaction of the authority having jurisdiction.
 - d. The tank system is listed or approved for such aboveground use.
 - e. The tank complies with requirements for emergency relief venting and the tank and dispensing system meet the electrical classification requirements of the code.
 - f. The tank storage shall comply with Chapter 34 of this code.

Tanks located at farms, construction projects, or rural areas shall comply with Section 3406.2.

12.01.200 Section 3301.1.3 amended. Section 3301.1.3 of the 2009 edition of the International Fire Code is hereby amended to read as follows:

Fireworks: The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

Exception: The use of fireworks for display as permitted in Section 3308.

12.01.210 Section 3302 amended. Section 3302 of the 2009 edition of the International Fire Code is hereby amended by amending the definition of “Fireworks,” to read as follows:

“Fireworks: is any combustible or explosive composition, or any substance or combination of substances or devices prepared for the purpose of producing a visible or all audible effect by combustion, explosion, deflagration or detonation and shall include blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, fire crackers, torpedoes, skyrockets, roman candles, Daygo bombs, or other devices of like construction and any devices containing any explosive or flammable compound or any label or other device containing all explosive substances, except that the term “Fireworks” shall not include any auto flares, goldstar producing sparklers on wires which contain magnesium or chlorate or perchlorate, toy snakes which contain no mercury, paper caps containing not in excess of an average of twenty-five hundredths of a grain of explosive content per cap and toy pistols, toy canes, toy guns or other devices for use of such caps, the sale and use of which shall be permitted at all times.

12.01.220 Section 3303 deleted. Section 3303 of the 2009 edition of the International fire Code is hereby deleted in its entirety.

12.01.230 Section 3304 deleted. Section 3304 of the 2009 edition of the International Fire Code is hereby deleted in its entirety.

12.01.240 Section 3305 deleted. Section 3305 of the 2009 edition of the International Fire Code is hereby deleted in its entirety.

12.01.250Section 3307 deleted. Section 3307 of the 2009edition of the International Fire Code is hereby deleted in its entirety.

12.01.260 NFPA Pamphlets adopted with amendments. Incorporated herein if fully set forth, the following NFPA pamphlets of the most recently published edition of the National Fire Code, and the standards contained therein subject to such remissions, modifications, changes, additions, and deletions as are hereinafter set forth:

- 1 Fire Code _____
- 10 Portable Fire Extinguishers
- 11 Low, Medium and High Expansion foams
- 12 Carbon Dioxide Extinguishing Systems
- 12A Halon 1301 Fire Extinguishing Systems
- 13 Installation of Sprinkler Systems
- 13D Sprinkler Systems One and Two Family Dwellings and Including Manufactured Homes
- 13E Fire Department Operations in Properties Protected by Sprinkler and Standpipe Systems
- 13R Sprinkler Systems in Residential Occupancies up to Four Stories in Height
- 14 Standpipe and Hose Systems
- 15 Water Spray Fixed Systems

- 16 Deluge Foam – Water Sprinkler Systems and Foam, Water Spray Systems
- 17 Dry Chemical Extinguishing Systems
- 17A Wet Chemical Extinguishing Systems
- 18 Wetting Agents
- 18A Water Additives for Fire Control
- 20 Installation of Stationary Pumps
- 22 Water Tanks for Private Fire Protection
- 24 Private Fire Service Mains
- 25 Water Based Fire Protection Systems
- 30 Flammable & Combustible Liquids Code
- 30A Motor Fuel Dispensing Facilities
- 30B Aerosol Products, Manufacture and Storage
- 31 Oil Burning Equipment, Installation of
- 33 Spray Application Using Flammable or Combustible Materials
- 34 Dipping and Coating Processes Using Flammable or Combustible Liquids
- 37 Stationary Combustion Engines & Gas Turbines
- 51 Design and Installation of Oxygen-Fuel Gas Systems for Welding, Cutting and Allied Processes
- 51B Welding, cutting, other Hot Work
- 52 Vehicular Fuel Systems
- 53 Oxygen Enriched Atmospheres
- 54 National Fuel Gas Code
- 55 Compressed Gases and Cryogenic Fluids
- 58 Liquefied Petroleum Gases Code
- 59 Utility L.P. Gas Plant Code
- 59A Liquefied Natural Gas (LNG)
- 61 Fire and Dust Explosions in Agricultural and Food Processing Facilities
- 68 Explosion Protection by deflagration Venting
- 69 Explosion Prevention Systems
- 70 National Electrical Code
- 72 National Fire Alarm Code
- 75 Protection of Information Technology Equipment
- 76 Telecommunications Facilities
- 77 Static Electricity
- 79 Electrical Standard for Industrial Machinery
- 80 Fire Doors and Other Opening Protectives
- 80A Exterior Fire Exposures
- 82 Incinerators, Waste & Linen Handling Systems and Equipment
- 85 Boiler and Combustion Systems Hazards
- 86 Ovens and furnaces
- 88A Parking Structure
- 90A Installation of Air-Conditioning and Ventilating Systems
- 90B Installation of Warm Air Heating and Air Conditioning Systems
- 91 Installation of Exhaust Systems for Air Conveying of Gases

- 92A Smoke Control systems
- 92B Smoke Management Systems in Malls, Atria, Large Spaces
- 96 Ventilation Control and Fire Protection of Commercial Cooking Operations
- 99 Health Care Facilities
- 101 Life Safety Code Amended
- 102 Grandstands, Folding and Telescopic Seating, Tents, And Membrane Structures
- 105 Smoke Door Assemblies and other Opening Protectives
- 110 Emergency and Standby Power Systems
- 111 Stored Electrical Energy Emergency and Standby Power System
- 329 Handling Releases of Flammable and Combustible Liquids and Gases
- 490 Storage of Ammonium Nitrate
- 505 Powered Industrial Trucks including Type Designations, Areas of Use, Maintenance, and Operations.
- 654 Prevention of Fire and Dust Explosions from Manufacturing Combustible Particulate Solids
- 664 Fire and Explosions in Wood Processing and Woodworking Facilities
- 701 Methods of Fire Tests for Flame Propagation of Textiles and Films
- 703 Fire Retardant Treated Wood and Fire Retardant Coatings for Building Materials
- 704 Identification of the Hazards of Materials
- 780 Installation of Lighting Protection Systems
- 801 Facilities Handling Radioactive Materials
- 804 Fire Protection for Advanced Light Water Reactor Electrical Generating Plants
- 805 Light Water Reactor Electric Generating Plants
- 820 Fire Protection in Wastewater Treatment and Collection Facilities
- 850 Electric Generating Plants
- 851 Hydroelectric Generating Plants
- 853 Stationary Fuel Cell Power Systems
- 900 Building Energy Code
- 901 Standard Classifications for Incident Reporting and Fire Protection Data
- 909 Protection of Cultural Resource Properties
- 914 Fire Protection in Historic Structures
- 921 Fire and Explosion Investigations, Guide for
- 1123 Fireworks Display
- 1124 Fireworks and Pyrotechnic Articles
- 1126 Use of Pyrotechnics before a Proximate Audience

12.01.270 NFPA 101 amended. NFPA 101, most recently adopted edition, is hereby amended as follows:

Chapter 24 deleted.

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. This is Ordinance No. 5408, Section 1 (1998).

SECTION 4. Severability Clause. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions, shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 5. Effective Date. This ordinance shall be in full force and effect from and after its final passage and publication as by law provided.

PASSED
AND _____, 2010
APPROVED

THOMAS P. HANAFAN Mayor

Attest:

MARCIA L. WORDEN City Clerk

First Consideration: April 12, 2010
Second Consideration: April 26, 2010
Public Hearing: April 26, 2010
Third Consideration:

Council Communication

Department: Legal Case/Project No. Applicant:	Ordinance No. <u>6076</u>	First Reading <u>4/12/2010</u> Second Reading <u>4/26/2010</u> Third Reading
SUBJECT/TITLE		
An ordinance to amend Chapter 17 "Housing" of the 2005 Municipal Code of Council Bluffs, Iowa, by adding a new Section 17.01.040 "Conversions to Meet Building Codes".		
BACKGROUND		
Section 17.01.040 will apply the same standard to conversions of existing structures to residential cooperative that have existed since April 25, 2000, under Iowa Code Chapter 499B for conversions to a horizontal property regime (condominium).		
RECOMMENDATION		
Approval of this ordinance is recommended.		

Richard Wade

Department Head Signature

Mayor Signature

ORDINANCE NO. 6076

AN ORDINANCE to amend Chapter 17 "Housing" of the 2005 Municipal Code of Council Bluffs, Iowa, by adding a new Section 17.01.040 entitled "Conversions to Meet Building Codes".

BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:

SECTION 1. That Chapter 17 "Housing" of the 2005 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by enacting a new Section 17.01.40 "Conversions to Meet Building Codes", to read as follows:

7.01.040 Conversions to Meet Building Codes. (a) After April 25, 2000, an existing structure shall not be converted to a horizontal property regime unless the converted structure meets building code requirements in effect on the date of conversion. After June 1, 2010, an existing structure shall not be converted to a multiple housing cooperative unless the converted structure meets building code requirements in effect on the date of conversion.

(b) At least 60 days prior to filing a declaration of horizontal property regime as provided in Iowa Code Chapter 499B or a declaration of a multiple housing cooperative as provided in Iowa Code Chapter 499A, which converts an existing structure with the City of Council Bluffs, the owner shall file a copy of the declaration of the horizontal property regime or the articles of incorporation of the multiple housing cooperative with the office of the chief building official to enable the city to establish that the converted structure meets appropriate building code requirements. The Declarant shall provide sufficient information to the city so that a determination can be made as the whether or not the structure meets current codes.

SECTION 2. REPEALER. All ordinances or parts or ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage, approval and publication, as by law provided.

PASSED
AND _____, 2010
APPROVED

THOMAS P. HANAFAN Mayor

Attest:

MARCIA L. WORDEN City Clerk

First Consideration: April 12, 2010

Second Consideration: April 26, 2010

Public Hearing: n/a

Third Consideration: